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Selections.

THE CHRISTIANA TREASON TRIALS.

U. S. Circuit Court—Judges Grier and Kane.

SPEECH OF ATTORNEY-GENERAL BRENT,

OF MARYLAND, ON THE TRIAL OF CASTNER HANWAY, FOR TREASON.

Mr. Brent, Attorney-General of Maryland, said: May it please the Court and gentlemen of the jury. If a stranger, unacquainted with the facts of this case, had come into Court, he would have supposed that the State of Maryland was upon her trial, and that Castner Hanway was here for glorification and exaltation. How does Castner Hanway stand here? He stands arraigned for the heinous offence of treason against his country. Did the State of Maryland send any person to the Grand Jury to induce them to find a true bill? It had been done by the constituted authorities of the land, and the consciences of the Grand Jury. There has been an allusion made to my appearance here, in the public prints. I will speak of myself, which it is not my custom to do. [He then explained how he came to take part in the prosecution of this cause.]

This is the second case of the kind in this State where death has ensued. The first was that of young Kennedy, who, while seeking his property, was killed at a door in Carlisle. Maryland has sent her representative to assist our greater sister in the prosecution for justice, at the instance of the General Government. There have been public meetings held through the length and breadth of Maryland, declaring it unsafe for a native of our State to come here in the pursuit of his property. It has been stated that I have sought to supersede the learned gentlemen who represent Pennsylvania. There was a little difficulty of etiquette between my learned friend and myself, which, I am happy to say, was amicably adjusted on my arrival here. Neither my friend nor myself are the representative of a State, but of the United States. Would it satisfy the public sentiment of Maryland to see in the public prints, that the prisoner was, without having a representative here to assure them that the trial was a fair one, acquitted? No. They wanted a representative of their own. What does the State of Maryland care for the individual destiny of that man?

She does not thirst for the blood of an innocent man. Such imputations on our State I pronounce libellous. I hold her escutcheon aloft. She desires justice to the name of the dead, and protection to others in the future. I did not suppose that the appearance of our State, by counsel, would be met by insult and imputations. It is necessary for pence and security, that a meritorious defence should be made. Is there not impartiality enough among the jurors to shield the defendant from injustice? It is the part of skillful, ingenious counsel to raise up these prejudices in the minds of the jurors. Suppose not that the State of Maryland could sully herself by coming for here the blood of an innocent man. Suppose he is guilty? Stripping it of all these extraneous considerations, you are here before the heart-searching God, to say whether Castner Hanway be guilty or not.

Allow me, before going into the law of the case, to depict the condition of the South. The taint of Slavery, if it is a taint, is upon the escutcheon of all the original thirteen States. The act of 1798, was the foundation of Slavery, as it existed in this State. The South is not able, I say, because of the great number of slaves within her borders, to emancipate them. There could be no practical or social amalgamation between the whites and them. Neither have we the wealth to export them to their native Africa. Do you expect to force us to liberate these people, who are as numerous in our State as the whites, to act upon society? You would not permit them to invade your borders. Tell the South in the name of God, how the evil can be remedied. We cannot emancipate, we cannot export them; for where are the treasure and the means to come from? You people of the North have no right to tell us to emancipate them. You have pledged your honour to see that the South have their just rights, and are protected in them. You adopted the Constitution by compromise, by mutual concession.

There were many things which the South did not like in the Constitution; many things which the North did not like. We settled all our difficulties upon the altar of patriotism. What were the stipulations of the South? That they would abolish the slave trade, which they religiously observed. What was your stipulation? That the master should have his slave when the latter seeks refuge in a Northern State. I will show you, presently, by a decision of the Supreme Court of the United States, that the Union could never have been formed without the adoption of that fundamental article—the surrender of fugitive slaves to claimants. So much for the moral obligation. These doctrines are preached to persons who acknowledge a higher law. I am glad to say, the majority of the people have the right sentiment in relation to the Fugitive Slave Law. If a private man can overthrow the law and the Constitution, where is our security? The seeds of this bloodshed have been sown by such people, and may, at some future day, create civil war. If such people want to preach conscience above the law, let them do it in other lands.

Judge Story said that fugitives from justice should be surrendered upon claim being made. That is the Constitution, the organic law of the country which rides over the law of Congress, and on which the South reposes, relying on the justice of the North. What obligation has the Government assumed? Is it, as Mr. Lewis says, that the Southern master is to come here and obtain his slave without the assistance of persons in the North? The words in the Constitution are "deliver up." Who shall deliver him? Why, the people of Pennsylvania. They are bound to deliver the slave up to the claimant. I merely refer to this clause in the Constitution, to show that it binds the people of the North to perform some active duty, and not to remain passive. [He read the decision of Judge Story.]

This was the first great compromise. I ask you to point out where the South has failed to perform the obligations of the Constitution? The State of Maryland, then, comes here with a clean breast. She came into the Confederation and has religiously kept her promise. The State of Maryland does desire that while this Union shall last, she shall be permitted to come into this State after her property, and not be butchered. It is my opinion that the great majority of your people are in sentiment sound in regard to this great question. The question is practical. What consolation is it to the South to know you feel that right, but do not act right? Put down this miserable faction, who unsheath the sword of civil war to devastate our land, though they be in the minority. The gentleman said that it was against our policy to permit propagandists to come into the South. The difficulty which we of the South have to capture our slaves, has retarded emancipation. This encouragement to fugitive slaves has retrograded public opinion and reversed the order of things. Who have the slaves to thank but their wicked advisers? As General Jackson was wont to say, "Only take care of my friends, and I can take care of my enemies."

Now as to the dangers of the Union. I have no authority from the State of Maryland to speak on so grave a question. I do not believe that the events of a single day, the events of a week, or a month, will sever the Union, but discord, one by one, will gradually weaken our great alliance, and eventually sever it. General Washington warned us of this in his farewell address. It has been even carried into matters of religion; for a line has been drawn between the Church of the North and the South. I am glad to say that a kindly feeling has always existed between the two States of Pennsylvania and Maryland, and I defy you to show me where a citizen of the North has not been hospitably treated by the people of Maryland.

I pass now from that subject. You are bound to the great contract by honour to observe the Constitution. Without that we would never have had a star-spangled banner to float over every wave, nor a beacon-light on every mountain-top to show the way of liberty to the rest of mankind.

What is the duty of the general government? It is to enforce the laws of the Union. It is the solemn obligation of that general government to see every law executed, and if they do not, they are recreant to their duty. Congress has a complete and final jurisdiction, and no State can oppose it. If, therefore, Congress has said that a citizen of the South can come into the North and get his slave, and the North is to deliver up such fugitive, the man who does not assist when called upon is a disloyal citizen. The Legislature of your State cannot absolve a man from acting his part in the furtherance of the Constitution. I offer this in view of the testimony of a man who was called to the stand to prove that the defendant was a loyal citizen, who proclaimed from that stand that he reserved a right—*a right*—to disobey the laws of Congress and the Constitution of the United States. I say that the general government has a right to summon that man as one of a *posse comitatus* to assist in the execution of the laws. Let me read you the Act of Congress on that subject. [He read the Compromise Act.]

It gives the Commissioner the power to delegate to any person he chooses the power and the majesty of the U. S. Government. From what point do the gentlemen take their course, and direct their longitude? By a direct violation of the act of Congress; for it says that a bystander, upon being asked, must assist. It takes from him, by a refusal, the reputation of being a good citizen. How do the defence get out of this? Why, they say the law don't inflict a penalty. Congress never supposed that a Hanway and a Lewis would refuse to assist in executing the process of the general government in one year after the passage of the act. What is the excuse? Conscience. Conscience is the excuse of an American citizen to disobey the laws! If an unjust or a wicked law is passed, there is but one remedy—to change it by a majority of the people, who make the laws. If this paramount doctrine of conscience is received, what will be the result? The United States will not be able to execute civil process without an army to sustain her officers. This man did not stand by merely passive.

I would have thought more of the defendant and Elijah Lewis if they had put on their armour and marched on with the coloured persons. They would then have been heroes in their way, though attempting to nullify an act of the government. A man who would incite them with speeches, and by gesture, has done worse—he has become meanly a conspirator. I shall argue, in the first instance, that it cannot be presumed that the United States could bring direct evidence from an infected neighbourhood. It is not to be expected that we can find, in that horde, one voluntary witness. Because none have witnessed their congregations, can we not prove a treasonable combination? If you see a swollen stream, running from the mountain, leaping along as if a deluge was pouring its waters along its channel, do you not know that at its source the snows have melted and the rains have descended? How, then, could you mistake the causes which impelled those infuriated blacks to their acts of violence and bloodshed?

Mr. Brent continued his remarks by a defence of the character of the witness Kline, from the charge of general untruthfulness, as well as of cowardice on the occasion of the Christiana disorders. He rebuked the opposite counsel for violating their expressed determination not to assail the character of any of the Gorsuch family, in their course towards Dr. Pearce. Hanway's familiar manner of addressing the negroes, "Boys, don't shoot," when the danger approached him, was cited as proof of his complicity with them. The testimony of Elijah Lewis, the defendant's witness, Mr. Brent contended, had completely broken down the defence—testimony, says Mr. B., so shamefully corrupt and perjured as to have no weight upon the judgment of an honest jury.

He further defended the Southern States from the charge of cruelty towards slaves, and said that in every State the man that was cruel to his slave is always punished, and the man who sheds a slave's blood is stigmatized, unless he can prove that he did it in self-defence. The constitutional right of a man to recover his slave wherever he may be harboured, was spoken of, and those who harbour him have no right to complain if the master came after him at midnight.

Some further remarks were made on the law of treason and the meaning of the phrase "levying war," and the organized band in Lancaster county were considered to have been guilty of it. The absence of the defendant from the meeting was no proof of his innocence. His action on the ground must be viewed as proof that he was connected with the party for treasonable purposes.

Mr. Brent defended the State of Maryland from the charge of thirsting for this man's blood. She was only thirsting for the pure, undefiled fountains of justice. She stood there for her rights, and stood undaunted. After some further remarks upon law points in the case, Mr. Brent concluded his speech.

SPEECH OF JOHN M. READ, ESQ., FOR THE DEFENCE.

May it please the Court and gentlemen of the Jury—There has been a very long elaborate speech made by the officer for the prosecution. I never did expect to hear from a Southern man, that the Fugitive Slave Law is unconstitutional. It was a part of the question put to the jurors. I understood that it lies at the foot of this indictment that there are two Fugitive Slave Laws.

Mr. Brent here arose and said that he could not consent that his position be misrepresented. I never said that it was unconstitutional, but that the master had a right to recover his property in a Northern State.

Mr. Read—I understand that the learned gentleman said, that the party who invaded the house of Mr. Chamberlain and took the man by the throat, put the pistol to his head, and violated the sanctity of a house of a Pennsylvania citizen, acted in conformity with a constitutional right. We hold ourselves bound by the Constitution and the law of the land. We don't go to the jury upon such a principle as that, but we do intend to go to the jury for an innocent man, whose fortune is bankrupt, and who has been torn from his family. If we are bound to observe the Fugitive Slave Law in Pennsylvania, the Southern master is bound to do the same.

If the Southern master seizes his slave he is bound to take him before a Commissioner to prove his identity. What was the object of that law? It was to protect the South and also the rights of the North. If I had been in that house I would have taken the liberty of doing that which is frequently done in the South—shot one of those scoundrels. Why were not Perry Marsh and Bill Bear examined here? They would have shown you that they were not the owners, neither had they the authority to carry a poor man beyond the lines. If you don't turn negro catcher, we will indict you for treason!

Is this the doctrine? I have held two public offices—one, the U. S. District Attorney, and the other, Attorney General of this State, but never thought it necessary or proper to press a case like the present, without proof of identity. I have never thought it proper to spread facts before a jury without giving the other side an opportunity of answering. What is the object of the prosecution? It is not revenge, or gratification. No. It is simply justice. The argument is, that an innocent man must be sacrificed on the altar of the Union. I was first going to discuss the law—secondly the application of the law to the evidence. The State of Maryland is represented as a kind, human State to the free blacks. I have never been in favour of Slavery, and I hope I never shall. The question is not whether the Union will stand—of that I have no doubt. It does not depend on a few politicians, or slaveholders, or a few capitalists. I have lived long enough to disbelieve such things.

We will not permit any Southern master to come into the State of Pennsylvania, in violation of law, and tear a man away without proving his identity. In the State of Virginia a house can't be searched, without a warrant under oath. How many free negroes are there in Maryland? 70,000, some of whom come into our State, and are transmuted into fugitive slaves. There are 90,000 slaves in the State of Maryland. In Pennsylvania every man is presumed to be a freeman until he is proved to be a slave. We have 54,000 free coloured people, and we are more strongly bound to give them protection than the whites, because we have the Courts, the jurors, and make the laws.

In Maryland every coloured man, of the fifteenth part of a black shade, is presumed to be a slave. I understand that the State of Maryland has no law against freedom. If a free black man goes into that State by accident or otherwise, he is put in jail and fined $25; and if he is not able to pay the fine and the jail fees, he is sold out to perpetual Slavery. You may pay the fine the first time, but if the poor negro is seduced by artful kidnappers into our sister State of Maryland, the second time, he is fined $500, which, if he cannot pay, he is taken to a slave market and sold.

By the laws of the State of Virginia, a reward is offered for a runaway slave, if he be found in a Slave State; but the reward is increased if he be found in a free State, which encourages men under the cover of right to steal freemen from their homes. The Constitution, which my friend so much talked about, was made for all. The fugitive slave act was made under a provision of the Constitution. It was for a slaveholding State, to a slaveholding State, and not for a free State to a slave State. The law ought to be obeyed both in the North and the South. Can any one doubt, that there are acts of Assembly in the slave States, contravening the Fugitive Slave Law? What is good for one is good for all. An exact compliance with the Constitution is the duty of every American citizen.

Mr. Read stopped speaking at 1 o'clock, that being the hour of adjournment. It was made known to the Court that the jury desired to sit in the evenings. M. Read said that the case was exceedingly fatiguing as it was, and that if the Court resolved to adopt the suggestion of the jury, it would only deprive him of his necessary rest which had already been done to some extent.

The foreman of the jury said, that this morning it was the wish of several jurors, who were unwell, to conclude the case as rapidly as possible, but now being well, they would abide by whatever the Court should determine.

Judge Grier—I have been devoting my nights to examining the law and preparing for my opinion, and if night sessions were to be commenced during the trial of this cause, I would be very much troubled to find the time necessary for writing out my charge.

After a few remarks from the several gentlemen engaged in the trial, it was determined not to have evening sessions until the next case should be commenced.

THIRTEENTH DAY.

J. M. Read resumed his argument to the jury for the defence.

May it please the Court and Gentlemen of the Jury—The crime which is the subject of your cognizance to-day is the highest known to the constitution. We cannot engraft to the constitution all the bad laws of other countries. He then quoted the 3d Art. of the constitution, which says that, "all crimes charged, except where imprisonment is allowed, shall be tried by a jury, and that treason only consisted in levying war against our country, or in adhering to her enemies, and in giving them aid and comfort. Prior to the time of Edw. 3d, everything imaginable was made treason, and it was not until the 25th of Edw. 3, that a settled policy in relation to treason began to display itself. Before that act, all forfeitures for treason inured to the crown, and hence, whenever the exchequer was at a low ebb, it was recruited by the process of alleged treason.

Mr. Read said this would be a very dry subject, and it could not be expected that he could make it interesting to either the Court or jury. He gave an account of the peculiar characteristics of the British government, and said that up to the rebellions of the great Barons, the King possessed the power to declare anything treason. But since that event the power has been in the hands of the aristocracy. The Barons, before Magna Charta, might fight with each other, and seize upon such property as they could obtain through their power without being guilty of treason, but they could not arm against the King. He quoted 25 Ed. 3, chap. 5, sec. 2, in relation to treason, to show that even in its comparative moderation when contrasted with former notions of treason, it was an arbitrary exercise of power.

This continued until Richard II. when new acts in reference to treason were passed repeating the Stat. of Edw. III. Then came Henry IV., an usurper, who had troublesome times, until the succession of Henry V., when the realm became tranquil. But through the reigns of Henry VI., Edward IV., and Richard III., there was constant rebellions, and necessarily acts of treason. We next have the monster Henry VIII., who permitted no one to have conscience, but such as he choose to let them have, and that not long at a time, who was prolific in his ideas of treason, and removed whoever he pleased from life and property under the barbarous acts in existence.

In the reign of Edward VI., other rebellions prevailed, yet statutes were passed which reduced many of the crimes charged as treason in the previous statutes to crimes of a lower grade, and required two witnesses to testify to the overt act. Then came Mary, and though much has been said against her reign, she cancelled all the statutes in reference to treason but that of Edward III. Elizabeth succeeded, and, being a Protestant, continued efforts were made to overthrow her government. It became necessary to pass new statutes of treason to check the frequent attempts at rebellion. The modern doctrine of treason had not been thought of, and a "conspiracy to levy war" was made treason. None of these statutes are fit for this country, and the age in which we live. We are not to put the barbarous precepts of barbarous times into our Constitution.

Next came the pedant James I. whose cruelty and weakness combined, made him seek occasion to carry out his own notions of treason, and who actually wished to sit as a judge himself, in the trial of a case. He was told by Lord Coke that he could not do so, as he (the King) was under the laws. At this time the King became indignant, and cried, "what! we under the laws: that is ranked treason!" thus showing in what light treason was viewed by James. Pechin's case occurred in this reign, and in the report of his trial, it is asserted that he was tortured before trial to extort a confession, between trial and confession, and after trial. Now what are such opinions worth in America?

Then came Charles 1st, whose obstinacy and determined perversions of the laws of the realm brought him to the scaffold, [He read from Judge Conrad's Jack Cade to show of what the people complained in that reign.] Though Charles has been called the martyr, yet he was rightfully tried and condemned by the people whom he wished to seduce to a state of villianage, which means Slavery. We next have the Commonwealth and that great man at its head, Cromwell, who rose from the ranks of the people, to establish just laws, and make his country respected at home and abroad. This was followed by Charles 2d, who had been a fugitive, and who had embraced all the vices of the countries through which he roamed. When he became seated on the throne he sought to enact statutes to punish every man who had been prominent under the Commonwealth.

The cases under this reign are the leading ones relied on here, and yet the execution of Sir Harry Vane, which took place under a stat. of Charles, has since been declared to be a judicial murder, and the decisions of the Court pronounced to be no law. And we are asked to take this as a precedent in this case. William 3, when he came to the throne, feeling the great injustice which had been done his subjects by the acts of retainder of his predecessors, immediately reversed the retainders and restored the families to their rights as far as he could do so. Next we have James 2 who attempted to subvert the national religion, and who aroused the people by his arbitrary act of imprisoning the seven Bishops. This was in 1768, and at that time, a person charged with treason was not allowed counsel, while the government, as in this case, drew counsel from all parts of the realm to secure the conviction. By such arbitrary power was Lord William Russel tried, one of the ablest and purest men then living in England, and though he was opposed to arbitrary power, he did not take part in the King's death. On his trial he asked for a clerk to take down the evidence, as he was not allowed counsel, but was told, as a mark of favour, that he might have a servant, which he declined. Lady Russel, his wife, and a titled lady, took a seat beside, and took notes for him through the trial. This, mark you, was in that arbitrary reign of Charles II, and yet we have counsel in this case, alluding to the circumstances of Hanway's wife being permitted to attend through his trial. The points in history I have referred to, we are asked to look to for the law of treason, to govern us here.

Mr. Read quoted 2d, 3d and 4th Coke's Inst. pp 9 and 10, for the general principles of treason. These Institutes were posthumous, and had never been revised by Coke. He quoted Hale's Pl. of C., published in 1736, and which were also posthumous. Coke cites the first case in the excepted statutes of Eliz.—6 Hen. 8, from pages 21 to 21, as to expulsing of strangers; 2 Hen. 5, chap. 1, section 6; John Imperial's Case, Rich. 2, and Hen. 4; Apprentice's Case, 5 And., 13 Eliz. and Bradshaw & Burton, which was afterwards declared no law. Barnstead's Case, in which he was charged with treason on an allegation of making an attack upon Archbishop Lared, for the purpose of removing him; Messenger and Beasly's Case, which was pronounced no trial at all, and hence can be no authority; State Trials, p. 69. During the reign of Charles 2, an assemblage took place in Moorfields, whose object was to pull down bawdy houses. A number were arrested and tried for treason, and we find in Philip's Treaties on Evidence, in the State Trials prior to 1688, that no counsel was permitted the prisoners, and, as a matter of course, they were convicted of treason.

Now I will ask whether this case was conducted according to our ideas of justice. Damagree and Purchaser's case has been quoted by the other side to sustain their position, and yet we find that although they were convicted of treason for doing pretty much what Hanway is charged with, yet so far from being punished for it, the authorities became ashamed of the trial, and actually took the alleged conspirators into the Queen's employ. This is the last case preceding the American Revolution, and is reported in East P. C. p. 70. There must first be a rebellion before there can be treason. In Pechin's case, 12 James 1st, he was tried for treason for writing a sermon which was never delivered. And this is the sort of law we are asked to act under.

He quoted Dr. Sacheverill's case, which was tried during the reign of Anne, and in which he was charged with preaching *passive obedience* in his sermons—much the same thing that is charged upon Castner Hanway. In this case it was declared not to be treason. Lord Ellenborough decided, that although riots had originated out of it, which extended to subvert the Constitution, but was a mere sudden ebulition of passion and disorder.

Mr. Reed said—That so little was known of treason in this country, it being supposed that treason could not take place here, that few or no books upon the subject could be found in our libraries. He was indebted to the Governor of New York for a copy of Luder's Tracts upon Treason, which treated fully upon the subject, since he had been retained in this case, but had since received one from England.

He read from Lord Campbell's Lives of the Chief Justices to show that the authority quoted by the other side, which cases were tried in England from 150 to 200 years ago, have since been declared to be no law at all.

He said as no Lord Chief Justice of England of the present day would dare to decide that such a case as this is treason, how could we so declare it in this country? The construction given to the statutes in England, would seem to make it the law, and yet it is in violation of the Constitution. He cited Lord George Gordon's case in which he was the only one indicted and tried for treason. He was at the head of the Protestant Associations, and though large bodies of men assembled without arms, for the purpose of petitions to Parliament, to show what was the voice of the country, yet terrible riots occurred, houses and churches were pulled down, and the mob had possession of the City of London, and yet he was acquitted of the charge of treason.

He quoted the Birmingham riots in 1791, in which the ringleaders were charged with capital felony, and not with treason. They were found guilty and executed. In this case, houses were destroyed, together with that of Dr. Priestly, and an attack upon Villars; and the mob held possession of the place for 5 or 6 days. Damaree and Purchaser's case, quoted by the other side, was not then thought of as authority. Hardy's case was also quoted. He was a poor man, but he had Wm. Pitt to defend him—the greatest man of modern times. Though assailed by the violent declamation of Burke, they did not attempt to convict him of treason. He was indicted for assembling a convention, the real object of which was to amend the Constitution, and, after a full trial, acquitted. Then followed the trial, of Horne Tooke, who was also acquitted. The act of 26 Geo. 3, was passed expressly for such cases, and were made distinct, substantive acts of treason. These are the authorities that will be urged upon the court by the other side, but I declare them to be no authority in this country.

He next read from the Life of Lord Erskine, p. 327 to 368, Harday, 368 to 375, the Manchester Massacre and Captain Horteous' Mob case, to show that sudden ebullitions of disorder are not treason.

He quoted Frost's case to show how the Judges of England have avoided recognizing in substance, Damaree's and Purchaser's case, and Massinger and Beasley. This case was decided in 1817 by Lord Ellenborough, who thought every body ought to be indicted for speaking against the Government. Jer. Brandreth's case, 2 How, 926, was cited to show that treason could not be committed without an insurrection. The rising must be for a general purpose to overturn the laws or the government. He quoted hosts of authorities to this point. The latest decision, he said, that he knew of in England, was that tried by Lord Campbell, and in which Lord Chief Justice Tindalf gave the decision, that to constitute treason it was essential that there should be an insurrection, and therefore must accompany it, and it must be for a general purpose. Queen vs. Frost, 9 Carr and Paine.

Here they were in direct collision with the Queen's troops, and a number were killed; yet the Chief Justice charged that unless it was for a general purpose to overthrow the government, they should acquit—and acquitted he was. In 1817 the ministers intended to prosecute Henry Hunt for high treason, but, upon consultation, they tried him for misdemeanour, and convicted him, but would not have been able to do so, if he had been charged with treason. He next alluded to the riots of 1831 or '2, which took place at Bristol, during which Sir Charles Wetherell was driven out, and much destruction of property took place. No one of them thought of trying them for treason, but they were indicted for riot. Next came the Chartist riots in Wales, which was succeeded by the Rebecca riots in 1842, the object being to put down turnpike companies. The combination of the smugglers to evade the excise laws were frequently in collision with the government troops, and yet they were never tried for treason.

He read the Essay on the British Government, from Henry II to the present time, by Lord John Russell, written in 1821, to show his view of treason. It tallied with those quoted above. He then quoted from Dr. Arnold's work on the Roman Commonwealth, to show the abuses of treason. This he did not quote as law, but curious as it may seem, in 1793, on the trial of William Ure, the rescript of Tiberius was quoted, and the sort of law there laid down, attempted to be applied, and Ure was told he was fortunate in not being condemned to be thrown to wild beasts or burnt alive. He read from the 4th vol. of Hallam's works on the Constitution and History of England, to show the corrupt decisions of Judges for treason in earlier times, and in which he says that their memories are execrated. No lawyer would rely on such a decison as that in the trial of the Duke of Norfolk, in Mary's reign, or that of Essex during Elizabeth's reign.

He said he thought he had now shown that cases of treason in England were only those which arose out of rebellion, and not that the law of 1600 or even 1700, was to be considered the law of the present day. He said Judge Chase, in Fries' case, had ever felt inclined to pass them by, but he had to go back to see upon what the decisions in Damaree's and Purchases' cases were based.

He had now done with the law of England, and would turn to the law of our own country. He had discussed it thus at length, because it had been contended that the Stat. of Ed. 3d, had been incorporated in our constitution. He (Mr. R.) did not acknowledge this position, as we were not bound to adopt a bad law of England, and apply it to this country.

To show how the framers of our Constitution viewed the act of treason, he quoted from the 2d volume of Madison's papers, p. 741—the 6th article of Pinckney's plea, which said the Legislature of the United States should declare the punishment of treason, and that the crime should consist of levying war, or giving aid to the enemies of the U. States or any one of the States. Governour Morris wished to adopt the words of the stat. of Ed. 3, but Dr. Franklin argued that charges of treason were always virulent in their nature, and were too generally accompanied with perjury. After much discussion, the governing word in Pinckney's plan was retained, and is now in the Constitution.

He then read from the U. S. Constitution, sec. 8, clause 11, and sec. 10, 2 Madison Papers, Judge Elliott's Debates, p. 452 and 3, to show what the definition of treason means; same book, p. 481 and 2, Shay's rebellion was cited to show that the internal flames of insurrection were ready to burst out in every quarter, and hence the trial and conviction for treason was very proper; 3 Elliott's Debates p. 378, to show that even troops may be brought into operation, and yet there be no treason. The militia may be called out to execute the laws where there is no invasion or insurrection. Riots were not treason.

Mr. Read contended that in the United States there must be an actual insurrection before there can be treason and said that the authorities cited by him proved this.

He next reviewed the authorities cited by the counsel for the United States, and commented upon the Western insurrection. He said the laws could not be executed in the four western counties of Pennsylvania, which then comprised a large part of this State. Troops were marched there by Washington, and 2500 troops quartered upon them. This comes within the definition of treason, and though two persons were convicted, they were not hung even in this case, as Gen. Washington did not wish to hang a man to please any body.

He next reviewed the case of Fries; which occurred at a time of high excitement, when gentlemen went into Court with a small sword by their sides. It was at a time when the alien and sedition laws had just been passed, which put every foreigner into the power of the President, and when great political excitement prevailed in Pennsylvania, the Congress then sitting in Philadelphia. In this case there was an armed force and an actual insurrection, which was put down by a military force under General McPherson. He then referred to Aaron Burr's case, and said, that the Chief Justice of the United States there held that all the doctrines of English treason are not to be adopted in this country. It would hardly be held to be proper to adopt such law as that administered by the bloody Jeffries, who convicted Elizabeth Gant of treason, for harbouring a person, alleged to be a traitor; but the attainder was afterwards taken off, because the principal was never caught and convicted, and therefore the accessory after the fact could not be properly convicted.

Mr. Read then turned his attention to the facts of the case, and the evidence. He said he would show the entire rottenness of the case of the United States. They are bound to have two witnesses to the overt act. If they have two, they certainly suppressed one—for but one has been examined, and that one Kline. They have equally failed to prove intention. We are not to prove Hanway innocent, but they are to prove him guilty. They have not made out their case. You were asked by counsel to put the dead body of a citizen of Maryland in one scale, and then he would have you put the dead body of a citizen of Pennsylvania in the other, to test which way the beam will turn.

I will ask you, if Hanway and Lewis had not been present on the ground, how many of the white men would have been alive this day? Not one. If the blacks had been alone, they would not have stopped with the killing of Mr. Gorsuch. Did not Hanway save the lives of Dr. Pearce and Joshua Gorsuch? And yet one of them comes on the stand as a witness to testify against him, though he admitted just after the moment of danger, that Hanway had saved his life. The whole case rests upon the testimony of Kline, who reminds me of Capt. Bobadil, in his tales of valorous achievement, and if we can show that his evidence is not to be relied on as truthful, there is an end of the case. Kline says he jumped into the corn field for safety, and that the firing was in the long lane, when we show that the firing was in the short lane, and that Kline had runaway to the woods for safety, and no doubt was safely ensconced under the boughs and leaves. And this man we are asked to believe was the leader of the armies of America, and was sheltered by the flag of the Union. This, gentlemen, is not a case for levity; but how can you avoid answering such absurd positions as have been assumed by the other side, except with levity. Here we have Kline, who could not hear while on the stand, unless he was looking at the person speaking to him, testifying that he heard Hanway say "don't shoot." The truth is, he heard nothing, for he is unable to hear, and was not near the scene of battle, after he discharged the first load from his pistol while at the house. With the exception of this load, his pistol had not been used by him; and yet this valiant hero comes here to recount his deeds of valour. Why he is as deaf as his great predecessor, Alberti.

It has been asserted that no man is a good citizen, who will not assist to execute the Fugitive Slave Law, when called upon. I call myself a good citizen, said Mr. Read, and desire to see the laws of the Union carefully executed; but if called upon by such a miscreant as Kline, with such dangers surrounding me, as Castner Hanway had, I would refuse. Without placing too high an estimate on my own life, I consider it too valuable to be placed in jeopardy by such a coward as Kline, whose life is of no value to anybody, even if he would not run away, and should happen to get killed. Are respectable men to be called upon by every reckless miscreant who can get a warrant of arrest to serve, to jeopardize their lives, no matter what the odds in numbers may be against them?

At this time the Court adjourned, without Mr. Read having concluded.

FOURTEENTH DAY.

John M. Read, Esq., resumed his remarks commenced on Monday and continued yesterday. He spoke to the following effect:

I was proceeding yesterday to discuss what I consider the most important part of the case—the conduct of Kline while in the long and short lanes. The only overt act of Hanway, was in giving insolent replies to Kline. It is clear that he had nothing to do with the parties at the house or the crowds in the lane. I want now to show you that the evidence of Kline in relation to the overt act, is wholly uncorroborated and depends entirely upon his own credibility. If there was no firing in the long lane, then Kline's testimony is certainly false. Dr. Pearce, who was an unwilling witness, did not hear any firing in the long lane. So far Kline is flatly contradicted. Pearce looked up and down the long lane and could not see Kline, and said he called for him; but he was not to be found. Where was he? Yet he heard firing in the long lane. I never weigh the simple words of a man like Elijah Lewis, against the oath of a man like Kline. There is not one single word in the evidence of Joshua Gorsuch, in reference to any firing in the long lane; he says it was in the short lane—and thus he corroborates the testimony of Dr. Pearce in the contradiction of Kline, that there was no firing in the long lane. When Kline said, that he thought the defendant turned to the blacks, and told them not to shoot, his evidence is true, with the omission of the word "not." A man morally and physically deaf, comes here and says that he heard a man whisper the words "shoot at them." The prisoner at the bar saved the life of Marshal Kline; because he prevented them from firing in the long lane. A perjured man who don't hear, who can't hear, is brought here to convict an innocent man, whose hands are white—not red with the blood of his fellow man. You are bound to acquit, as the Court will tell you, if you entertain a reasonable doubt as to his guilt. I have examined the evidence carefully, and cannot find one title of evidence to support Kline.

I now pass to the evidence of Dickinson Gorsuch, who was seriously wounded; who lost his father under such painful circumstances. He was carefully attended to at the house of Mr. Pownall, where he remained, dangerously ill, for three weeks. His evidence corroborates Elijah Lewis'. He says he started out of the long lane and met the Marshal. What does that mean? Not that he came out of the short lane; but, that as he got out of the long lane into the short lane, he met Kline. Is not that a direct, positive contradiction to what the Marshal said? I want to show that the evidence of Kline about his being in the corn-field and coming out in the long lane at the time of the firing (which never did occur) is altogether false.

What does Nicholas Hutchings say? [He here read the evidence.] There is no question, you perceive, that he was in the woods along with Kline at the time of the firing in the long lane. If Castner Hanway, who, being a non-resistant, could not bear arms, had joined the party, all of them would have been sacrificed.

Next comes Nelson's testimony. [He again read the evidence.] He corroborates all the others. Is it not as clear as daylight? Where was Kline? He had run away into the woods, and there concealed himself. Can anybody believe that he saw the firing in the long lane? I do not mean to say that he did not tell as much of the truth as was possible for the purpose of procuring a conviction. It is like the doctor who mixes sweet things in the medicine, so that the child will take it; but that does not make the medicine operate any better. It was not necessary that Kline should sacrifice himself for the perpetuity of the Union. There was no danger of it. He knows how to take care of Mr. Kline.

We trace Kline down to the tree with the wounded body of Dickinson Gorsuch. He does not even stay there to protect the almost dying man from those whom he thought were after his blood. Marshal Kline was so valiant, that he leaves the wounded man to do as well as he can in a strange country. He had *not discharged* his revolver; all that he did in the way of humanity was to help the wounded man into the woods. All the testimony shows that the firing did not take place until Kline got into the woods. Does not Marshal Kline himself say that he was in the woods at the time the fight took place? If I show you that Kline has sworn falsely, then where is the case of the U. States, after his testimony is rejected?

As to Lewis Cooper, he acted as well as a man could on the occasion.

Judge Grier—I believe Mr. Cooper and Miller Nott behaved like Christians; but I will not say as much for the rest of them who live in that neighbourhood.

Mr. Read—I have nothing to say about the inquest, but that it ought not to have been brought into the case. In the city of New York, it is said that inquests are frequently forged.

From the whole of the testimony, is there a doubt that Kline was in the woods at the time of the firing, and not in the corn fields? I will not repeat the old Latin adage, where a person is found to be false in one thing, he is false in all.

I will now direct your attention to the evidence of the defence, by which we will supply all the defects of the prosecution. I will take up the evidence of Elijah Lewis first. Do you not believe it? Is it not a calm, plain, honest statement, characteristic of such a man? If the defendant and Lewis had not been there, these men would have been shot down. Kline said that he would hold them responsible for the slaves. Is that the way to administer the Fugitive Slave Law in this State, to threaten a man with civil process? I have shown you that Kline is to be regarded as an incredible witness. Knowing that there are a great many coloured persons awaiting their trials, he carefully avoids designating the names of all with the exception of some three or four. Like a villain, as he is, he has carefully, sedulously concealed the names of others in the evidence in chief. Had I conducted the case, I should have made him tell the whole truth, though it had broken the case of the prosecution. Is the evidence so carefully shaped as to exclude us from showing what he swore falsely in sixteen or seventeen cases?

Mr. Cooper said that he hoped the gentlemen would pardon him, but he thought these remarks irregular. The gentlemen who conducted the prosecution were not aware that Kline concealed any part of the evidence. If the gentleman intends to reflect upon the conduct of those who conducted the Commonwealth's case, let him do it. I am prepared to vindicate myself, and my colleagues.

Mr. Read—I do not, as the gentleman knows, intend to reflect upon his or any other person's conduct.

Judge Grier said it was certainly not pertinent to the case. They were right in not bringing 20 or 40 new issues in the case.

Mr Read—I am obliged sometimes to allude to what the professional practice may not strictly require. Let us now, gentlemen, turn our attention to the second witness. They turn us to the formidable name of George Washington Harvey Scott. He was brought down and put into the Debtor's Apartment, where he is fed, but certainly not clothed. I could hardly solve the reason why he was not offered on the examination in chief. We were prepared to meet him—to show, if it were necessary, his character. I know one thing, according to the laws of Maryland, he could not be a witness. In that State, a negro, free or a slave, cannot be a witness. They, however, think him a competent witness here. All they put him on the stand for is to prove that he was present—and this he flatly denies.

At Christiana there was no protection to the poor negro. No protection to innocent white men, who were three miles from the scene of action. Your Honour will see, if another case of the kind should occur, that a whole community shall not be arrested. Thirty-eight people have been indicted here; four of whom are the slaves themselves; all by a man who ensconced himself in the woods, and who ran away.

Now in reference to Harvey Scott, who has been tutored to tell a story, and who was frightened into it by Marshal Kline. We show that Marshal Kline had no business there. He went for a certain purpose, and dared to interfere with the prisoners while under the charge of Lieut. Ellis. This negro-catcher did that—this successor to Alberti. There is no other testimony in the case affecting Hanway. Is a neighbourhood to be in that situation, that when a Southern master appears even with the authority of the United States, that all must fly for safety? What is there against Elijah Lewis? He followed the Marshal into the woods, which he had a perfect right to do.

There is one clause in the act of Congress, which, I think, requires alteration, and that is, that such a miscreant as Kline has the power to call out the posse comitatus. The power of calling out the posse comitatus in this country devolves

ns and the South The whole of the male inhabitants of the South can leave their firesides to the care of the females.

In this State we have trial by jury—we have the writ of habeas corpus—we have a right to bear arms—we have a system of education spread all over the State, which is for all classes. Besides that, we have the four great divisions of husband and wife, parent and child, master and servant, guardian and ward. We have no laws to say that a bugle is a treasonable weapon. We have no laws to prevent halt a dozen talking together in the public road. We have no laws to prevent persons from selling powder and shot. We have no laws which require a passport to be given by one man to another. We have no law that says a particular class shall not read or write. We have no law that says the man who teaches such persons shall be punished. I do not make statements that I cannot sustain by proof.

I have authority before me for all I say. I have examined all the Southern Statutes. They have now such a state of things there, as to require a new code of laws, for the prosperity of the country. Originally, 1620 negroes were landed in Virginia, and now there are 3,000,000 in the slave States. In 1784, when Congress met in Philadelphia, the object which directed their attention was the slave trade. A resolution was passed to abolish the slave trade.

Every eminent man in Virginia was in favour of gradual emancipation. I name Washington, Jefferson, Madison, Randolph, and others. The slave trade was strongly contested in the first Congress. Virginia was in favour of its prohibition. The very men who resided in the slave States most deplored the evils of the trade. Notwithstanding Mr. Madison was against the slave trade, yet Georgia and South Carolina would not consent to the Union without it. They wanted to increase the evil which the great men of the nation so much deprecated. These two States forced the Union into the acknowledgment of the legality of the slave trade, until 1808. After South Carolina said that she could not cultivate her swamps without slaves, she prohibited the slave trade in 1792, which continued until 1808.

Virginia, then the first State in the Union, in 1788 agreed that the slave trade should not exist any longer. It was the project of Thomas Jefferson to stop the increase of slaves. This very fugitive slave act is taken from the 6th article of the ordinance passed in 1787. By turning to that ordinance, there is a provision for runaway slaves. Mr. Butler moved that fugitive slaves should be placed upon the same footing with fugitive criminals.

The fact is, that the Southern members had never dreamed of it until the passage of the Ordinance of 1787. It is not right for me to refer to these things without authority. Every man who feels as an American, loves to recur to the times of the Revolution. In the Convention of North Carolina they were exceedingly anxious to discuss all the subjects of the Constitution at great length. Judge Iredell wanted that State to accept the entire Constitution, which they refused to do.

In South Carolina, Charles Pinckney speaking on the slave trade said, that State could not maintain itself. No—not even with a union with the other Southern States. He recommended a union with the Eastern States on account of their navy. He said that they had a right to recover their slaves from any part of America. Now you see that it was not a *sine qua non* in the formation of the Union. Mr. Madison was in favour of the Constitution. Patrick Henry did not think the matter of any consequence whatever. I do mean to say, that the statement that the fathers of the Constitution considered this a *sine qua non*, is not founded on a history of the Union.

I have shown you that a grant of Slavery was not a cardinal consideration in the great Compact. From the year 1732 to 1740, the people of Georgia remonstrated against the admission of slaves, which disproved the argument that slaves were required on account of the work in the swamps. The constant bearing down of South Carolina on Georgia, brought Slavery into her territories. This foreign Slavery was forbidden before 1801, under the auspices of Mr. Jefferson.

No American can go into the wilds of Africa, and take away a savage unchristian negro, except under the penalty of death to himself. To steal a man from the coast of Africa is worse than piracy. A State calling itself a Slave State, can send their people into this State and take free negroes away, as fugitives from justice. Maryland has not kept her faith. I did not suppose that the South, from her prejudices, would come here and try a case of treason on the evidence of blacks. What is the security a negro has in the Southern States? If 20 blacks swear against a white man, their evidence goes for nothing.

Mr. Brent—They can neither swear for a white man, Mr. Lee in 1780, said that all the plagues of the North, such as the Hessian fly, the small pox, Circuit Court system and universal suffrage, find their way into the South. Now, gentlemen, what justice is to be expected from persons who breathe such an atmosphere; who so classes the system, under which this Court has jurisdiction. Three millions of slaves live in a state of *concubernium*, without the rites of marriage—the parent has no charge over his child. No education is permitted them.

Judge Grier said that he expected the case would be closed this week; but that they were going into issues not relative to the case.

Mr. Read—I have gone into it merely in answer to the argument of the gentlemen who sought to infuse Southern prejudices into this case. It is not a fact that there exists a law to punish a master for beating his slaves cruelly. In South Carolina, until 1820, a man might kill a negro, by paying £300. If a white in a Southern States plots with a black against the State, the white offender is punished with death. In this State he would be punished with only 3 years imprisonment. They have two codes of laws, one for the whites, another for the blacks.

In most of the Southern States, they have a patrol or negro police, who watch the conduct of the slaves. In the South, the white man helps the white as a matter of necessity. In the Southern States there are about 150,000 slaveholders—not one-half the vote polled in our State at a general election. The laws are made by the slaveholders and politicians. They are the parties who make all this tumult. They will press the question so long and so earnestly, that the people will arouse themselves. I therefore warn every Southern man against pressing too far upon the community, this matter of capital in human flesh.

Was there a rebellion, an insurrection at Christiana? It was impossible. It commenced and ended in about the time that would be required in England to read the riot act. Suppose fifty men were to go to collector Lewis, and say, we will collect the duties, and they should do so, and they run away with the money. Would you call that treason? The riot in New Orleans, about the Cuba affair, would have been treason in the time of James 1st. Does any body suppose that the prisoners intended to oppose the Fugitive Slave Law? Is there any evidence of combination? Is there any evidence of preconcert? Is there any evidence of Anti-Slavery meetings being held against the United States?

If holding meetings make treason, then the whole of the Secessionists of South Carolina would have been hung, for they have preached treason in every form. In Boston, at the time that Sims was rescued by force, that was not called treason. I have not understood that the Astor Place riots were called treason. I have not understood that Anti-rent riots were called treason. The riots of 1844, in this city, were not called treasonable. In the year 1812 some of the Baltimoreans stormed a jail, killed one individual and wounded others, yet they were tried for murder and riot. That was treason, for they threatened to ransack the post office, and actually marched there for that purpose. Is it possible, then, that you should permit the stigma of treason to be placed upon your native State?

The United States have shown, by tracing up George Williams, that the whole affair related to only four slaves. It was a private resistance against what they supposed a private grievance. There is one matter to which I beg leave to direct the attention of the Court—I mean the fourth overt act charged in the indictment—that of circulating tracts.

Judge Grier—There is no evidence of any such thing, I belive.

Mr. Reed—Look at the maps, you will find that the city of Baltimore is a free city. My friend (Mr. Brent) will soon find himself in a free State, and then he will be preaching my doctrines. My proposition would be to make free States out of these places in the South which are virtually free. I have a word to say in relation to the Society of Friends, who have their customs and their rights They are kind, philanthropic and humane; but will not carry arms. This State was founded by a quaker—the best law giver that ever came to this country. He refused to carry or use arms, yet how did it affect the State?

The Society of Friends have dwindled down to a small minority since the days of Penn, yet they have the same privileges and the same rights. If they are called out in the militia, they pay the fine rather than go. If they are summoned to go to war, they suffer their property to be levied upon, rather than obey such a mandate. As this is a free country, and we have no established religion, they ought to be permitted to worship as they please.

The individual who rests upon your verdict, is an honest, peaceful, and inoffensive man. He has long been living in a small, retired valley, faithfully doing his duty to his fellow man and his family. His small earnings have been consumed by the expensiveness of this trial, and he looks confidently to you for a safe deliverance. Mr. R. closed.

CONCLUSION.

WEDNESDAY, Dec. 17.

U. S. CIRCUIT COURT—Judge Grier—The Circuit Court met this morning, according to adjournment, for the purpose of taking some action in reference to the remainder of the prisoners charged with treason. The jurors summoned in the case were called.

District Attorney Ashmead, said—that he desired to inform the Court that, in reference to the remaining cases of treason, he had concluded to enter *nolle prosequis*, inasmuch as the charge of Judge Grier, to the jury in the case of Hanway, clearly satisfied him that the charge of treason could not be sustained, under the evidence submitted. That same opinion, however, intimated that murder and riot had been committed, and was fully made out by the testimony in the case referred to. He therefore felt it to be his duty to write to the District Attorney of Lancaster county, which he had done, and now held in his hand that gentleman's reply to his letter, in which he informs him (Ashmead) that detainers have been lodged at the county prison against all the remaining prisoners. Samuel Williams is to be tried in the U. S. District Court, before Judge Kane, on the first Monday in January next, on the charge of misdemeanor in obstructing the Fugitive Slave Law, by giving notice to the fugitive slaves of their intended arrest, and of course is excepted in the detainers. He is out on bail.

Mr. Ashmead then moved the Court, that the prisoners be transferred to Lancaster county, in charge of Marshal Roberts, there to await the action of a Grand and Petit jury of that county, the Marshal to be permitted to take his leisure in conveying the prisoners to that place.

Mr. Ashmead further said, that he would also lodge detainers against the prisoners, with the authorities at Lancaster, in order that they may be tried in Philadelphia for misdemeanor, if they should escape punishment for the offences of which they had been guilty, in Lancaster county. He (Mr. Ashmead) was determined to do his whole duty in these cases, so that the country might see, that if these men were to go unpunished for their crimes, it was not attributable to him as a public officer.

Thaddeus Stevens and J. M. Read were present, on behalf of the prisoners, but made no objections to the motion of the Dist. Att. Ashmead.

Judge Kane then informed the jurors that there would be no further occasion for their attendance, as the bills which they were summoned to try, had been disposed of in the manner they had heard related by the District Attorney. It only remained for him to thank them for their prompt attention to the summons of the Court, many of them coming from a great distance at great private inconvenience to themselves and families. They were then discharged.

The following is a copy of the letter sent by John L. Thompson, Dist. Att. of Lancaster co., to U. S. Dist. Att. Ashmead, in reference to the prisoners.

"I have just received the despatch from Philadelphia, with the names of the prisoners, and Mr. Reigart has gone on with commitments for them, which I directed him to lodge with the keeper of Moyamensing prison. I presume then, on Wednesday, when the cases are called up, that upon a motion to discharge the prisoners, it will be answered that they are held by virtue of commitments from this county, and that the Marshal will remove them at his leisure. As my health is not very good at present, I do not desire to come down, unless there is more necessity for it, of which I see none at present."

After the matter above had been disposed of, J. M. Read brought to the attention of the Court, the subject of the United States paying the witnesses summoned by Castner Hanway for his own defence, which had been suggested at a previous session of the Court

Mr. Ashmead said, the proper way to bring the subject up would be for the counsel to take a rule to show cause, and fix some day for hearing an argumeut upon it. He would then be prepared to argue the matter, as one of considerable importance, and as likely to establish a precedent.

Judge Kane said, that the authority to pay a deft's witnesses resided constructively in the Court, and was given to it in the same section of the act which authorizes the Court to confine witnesses.

J. M. Read replied, that the Court had a precedent for it in the case of Aaron Burr, to be found in 2 Burr's Trials, p. 531. In that case it was objected on the part of the United States, and after being fully argued was allowed to Burr's witnesses.

In the case of Burr, the U. S. Marshal said, that as the number of witnesses was so great, and many of them were said to know nothing of the subject of the controversy, he was cautioned by the Attorney for the United States, not to pay them till their materiality was ascertained, or till the Court ordered him.

Col Burr said, that when the Attorney cautioned the Marshal, it was supposed that he had summoned between two and three hundred witnesses, whereas the truth was that they did not exceed twenty; that they were material; that some of them were summoned to repel what might be said by the witnesses for the United States; that the United States had many advantages in commanding the attendance of their witnesses, which he had not; that he would not acquiesce in the establishment of a principle that might prove injurious to others; that the witnesses ought to be paid, and he hoped that there would be no more difficulty made on the subject.

After some desultory observations, the Court, over which the Chief Justice of the United States presided at the time, directed the payment to be made by the Marshal.

The rule asked for by Mr. Reed, was made returnable on Friday morning next, at 10 o'clock.

Castner Hanway was at present at liberty.

National Anti-Slavery Standard.

*** *All communications for the paper, and letters relating to its pecuniary concerns should be addressed to* SYDNEY HOWARD GAY, *New-York.*

†‡† *Donations to the Treasury of the* AMERICAN ANTI-SLAVERY SOCIETY *may be forwarded to* FRANCIS JACKSON, *Treasurer, at Boston; or to* SYDNEY HOWARD GAY, *New-York.*

NEW YORK, THURSDAY, DECEMBER 25, 1851.

LETTER FROM JUDGE JAY.

MR. EDITOR: I observe, from the last number of your paper, that you disapprove of the letter to Kossuth, signed by the gentlemen who presented to him the address from the Executive Committee of the American and Foreign Anti-Slavery Society. You are pleased to remark: "Judge Jay's name, it will be observed, was not appended to the letter, although it was to the address. We doubt if he was consulted, and his approbation gained, for presenting the Anti-Slavery cause in this humiliating attitude."

I cannot consent to accept the compliment which you thus impliedly pay me, because no one is more responsible than myself for the attitude, whether humiliating or not, in which the letter in question has placed the Anti-Slavery cause. I did not sign the letter, because it was to bear the signatures only of the gentlemen who actually presented the address, and I was prevented from accompanying them. The draft of the letter was approved by me, and I advised that a copy should be retained and published with the address.

I thought, and still think, that duty did not require Kossuth, in his character of the nation's guest, openly to denounce a system which, however detestable, is beloved and cherished and carefully guarded by his host. He had, moreover, expressed his desire not to be implicated in the peculiar views and opinions of political or other parties. We had a perfect right to thank him for the utterance of certain great truths which are practically treated with contempt in this country, but, under the peculiar circumstances of the case, it would, in my opinion, have been ungenerous to have attempted to induce *him* to make an application of those truths to American despotism. The very address would have been regarded as such an attempt had it not been for the disclaimer in the letter; and the deputation, instead of meeting with a most cordial and respectful reception, would probably have been treated in a manner that would not have placed the Anti-Slavery cause in a more dignified or a more useful attitude than it now occupies.

New York, Dec. 20, 1851. WILLIAM JAY.

REMARKS.

As our supposition of last week was made, not only because the signature of Judge Jay was wanting to the Letter in question, but also because we thought it very properly absent, we, of course, regret the necessity of publishing the above statement. In expressing that regret, we mean to imply merely that our opinion of the Letter remains unchanged, and not that our respect and reverence for the character of Judge Jay has suffered any diminution. We are unconvinced by his reasoning, and still think that the Committee of the American and Foreign Anti-Slavery Society, by their course, placed the Anti-Slavery cause in a humiliating position before the country; but of course we do not mean, in saying this, to impeach the motives of Judge Jay, or to be wanting in that deference due his character, his position, and his age.

There were, open to the American and Foreign Society, as there were to every body else, two courses in relation to M. Kossuth; they could approach him, or let him alone. Nobody, not even he, would have complained, had they adopted the latter; if, they adopted the former, nobody but themselves were responsible for the manner in which they should do it. Their responsibility, however, was no light one; for they were assuming to represent the Anti-Slavery cause, and multitudes would judge from their attitude what estimate Abolitionists themselves put upon the principles they advocated. Putting aside, for the present, the question of the right of the American and Foreign Society to assume to do any such thing as this, how should they have done it?

But first, what is Anti-Slavery? It is not Whigism; it is not Loco-focoism; it is not a question about Banks, or Tariffs, or Public Lands, or Internal Improvements, or any other question of a merely fragmentary or partizan character, about which men may honestly be divided on grounds of expediency. But it is the great question of Human Rights which underlies all these; it is the assertion of that great first foundation-principle on which rest all questions of politics, all questions of social reform, and which must be and ever is appealed to, to settle any question which, by any possibility, can arise affecting the rights, the interests, or the welfare of masses of men.

What, then, ought any men, who may approach Kossuth as representatives of the Anti-Slavery principle, to do? Should they approach him as men who may thank him for having taken their side as partizans on some mooted question of reform under circumstances of difficulty? Should they thank him, as Free Traders might, for abolishing a Tariff, where many opponents questioned the expediency of its abolition? Or as Protectionists for establishing prohibitory laws when a powerful minority were struggling just as honestly, for Free Trade? Not at all. But, as men who are advocating a great, an indisputable, and universally recognised principle, they should approach him to congratulate—*not* to thank—to congratulate him that he had been permitted to be the humble instrument whereby a great Law of Nature and of revealed Religion has been made triumphant over the selfishness of men. If he then chooses, for the purpose even of serving a great end, to say that, considering the sort of people he had got amongst, he would rather not acknowledge that he had any faith in these great principles in a certain self-evident application—then leave it to him to say it. But it is virtually to deny—to our mind—the very divinity of those principles to acknowledge, when it is fit to speak of them at all, that their universal application and their universal truth are to be ignored or to be passed over in silence.

This, then, we believe to be the duty of any Anti-Slavery men in relation to any distinguished man who may come among us as an advocate of Freedom; either not to go near him at all—and that must depend upon circumstances;—or if they do go, to remember the dignity of the cause they represent, as the dignity of Human Nature, and the dignity of Divine Law, which we may not rightfully ask any man to forget. If he chooses to forgot it let the responsibility fall on him. We have no right to offer to share it with him.

LECTURES IN THIS STATE.—We stated, a fortnight ago, that the lecturing agents who had recently commenced a campaign in this State were about to suspend it, for the present, that there might be no interference with the plans of the Vigilance Committee of Syracuse, who must rely upon donations and collections for the necessary funds for the defence of some of those persons, in narrow circumstances, indicted for the rescue of Jerry. These agents, however, Messrs. Pillsbury, Ford, and others, finding that their operations do not at all interfere with those of the Syracuse Committee, have concluded to adhere to their original plan, and will continue the series of lectures already commenced. Mrs. Foster, we regret to add, has returned home; her movements, for some time to come, must depend upon the health of her husband. Should that improve, she will return to the work already so well begun in this State; but should not the somewhat alarming symptoms attending Mr. Foster's illness yield to the treatment which he is now trying, he will, accompanied by Mrs. Foster, seek a restoration to health in the mild climate of the West Indies. His friends hope and believe that the change, if it shall be concluded to make it, will prove beneficial.

Miss Holley, we are glad to hear, will not cease her valuable services because she loses her companion for a season. She will probably join Messrs. Pillsbury and Ford. We have no doubt of hearing of, as well as from them, frequently.

Our indefatigable friend, J. A. Philleo, is also busy lecturing, and forming Societies, in Cattaraugus Co. We have a letter on hand from him, which will see the light next week, if crowded out, as we fear it will be, of this number. We make room, however, for an interesting letter from Parker Pillsbury, which has been laid over for two weeks past for the report of the Treason Trial at Philadelphia. Our other correspondents whose communications have been, or are still, pigeonholed, will, we trust, take it as patiently as our friend Pillsbury seemed disposed to do.

We refer to a notice in another column for further information in relation to the movements of Messrs. Pillsbury and Ford for the next three weeks.

THE TREASON TRIAL.—We make our report of this trial complete this week by the report of the speech of the Attorney General of Maryland, who was sent by the Federal Government to see that Pennsylvania understood and performed all the duties consequent upon that of slave-catching; of that also of Mr. Read for the defence, and the concluding proceedings by which the remaining prisoners were transferred to Lancaster Co. to undergo a trial for misdemeanour. Mr. Ashmead, the District Attorney's, determination, that somebody shall be punished, certainly did not need the assurance he was at the pains to give at the close of these proceedings.

We have in the very full report which we have given of this Trial omitted nothing of any importance except the following scene which occured on the morning of the eleventh day, and immediately preceding the speech of Mr. Lewis. We copy this that not a point of any interest may be omitted, and that the *animus* of the Court may be made as apparent as the facts of the whole case. We alluded, two weeks ago, to the Thanksgiving Dinner which Col. Kane had generously furnished the prisoners. The next morning:

When it was announced that the Court was ready for business.

Mr. Brent said, that before the counsel proceeded with his remarks he desired to say something in regard to a very important matter, relating to a high officer of this court It is a publication in the *Pennsylvania Freeman*, of Oct. 4th, of a circumstance which is calculated to prejudice the public mind.

Judge Grier remarked, that the statement of the facts in that paper was false, a characteristic feature of the paper. That their praise of a person was the highest vituperation, and their slander the greatest benefit. Any thing that appears in that sheet may be taken as *prima facie* evidence of its falsity. The whole affair is a gross falsehood. [The Judge here related the facts of the matter charged.] Now, gentlemen, if you knew that paper as well as I do, you would not credit a word it contains. The matter was brought to my notice, and I immediately sent for the Marshal, who told me the whole story.

The Marshal replied, that perhaps it would be as well for him to restate what Judge Grier had just stated. On the morning of the 27th of November (Thanksgiving day), the Court having adjourned over that day, I visited the prison to look after and learn the condition of the United States prisoners. While engaged in that duty, I was requested to aid in cutting up and preparing for distribution amongst them certain provisions sent to the prison for them by a citizen of Philadelphia county, which I did, and was then invited to partake of the meal. I did so partake, and afterwards retired to the performance of my other duties. And this is the amount of my offending.

Mr. Brent then arose and said—Col. Kane informs me that he understood my remarks to relate to other persons than the officer (the Marshal). At his request, I will state, that I did not intend my remarks to relate to any other person than the Marshal.

Col. Kane was understood to reply—"Very well, Sir."

SIXTEENTH ANNUAL REPORT,

OF THE EXECUTIVE COMMITTEE OF THE

RHODE ISLAND ANTI-SLAVERY SOCIETY.

IN presenting this Report, we are embarrassed, not for want of matter, but from the multiplicity of topics which present themselves for notice. To notice them all *briefly* would make the Report too lengthy. It must, therefore, be confined to such matters as immediately and intimately concern the Rhode Island Anti-Slavery Society.

While the present year has been unprecedented for its Anti-Slavery agitation, we have not been altogether inactive.

Early in February, the Executive Committee adopted and circulated a Petition, praying the General Assembly of this State to protest against the Fugitive Slave Law, and to instruct the Senators and request the Representatives in Congress, from this State, to make every effort for its immediate repeal. And further, asking the Assembly to devise and establish such further safeguards, of the rights and liberties of the inhabitants of this State, as may be required, in consequence of the passage of said law.

It was also *voted*, to circulate another Petition among the coloured citizens exclusively, as, from their peculiar position, it was thought, that a mass petition from them might be productive of good. The form of said petition to be similar to that of the above mentioned petition.

February 10th, the Executive Committee adopted and signed the following

MEMORIAL

To the Honourable General Assembly of the State of Rhode Island.

The undersigned, Executive Committee of the Rhode Island Anti-Slavery Society, in behalf of themselves and those whom they represent, make known to your Honourable Body that, whereas, a law has recently been passed by the Congress of these United States, commonly called, the Fugitive Slave Law, which, in the opinion of your petitioners, is an outrageous violation of all Common Law rights, and is also in their opinion opposed to the whole spirit and tenour of the Constitution of the United States and to the Bill of Rights, of nearly every State in the Union, Therefore, the undersigned respectfully pray your Honourably Body, to protest in the name of the State, against said law, and to instruct the Senators and request the Representatives, in Congress, from this State, to make every effort for its immediate repeal.

The general petition was numerously signed by all classes of citizens. In the Assembly, they were referred to a Committee before whom, the petitioners had a hearing.

Abraham Payne, Esq., made an able plea, in their behalf. After an animated discussion in the Legislature, the whole matter was laid on the table. Had the subject been introduced at an earlier stage of the Session, the result might have been different. As it is, we do not feel that the effort has been lost.

The following Petition to Congress has been circulated in various portions of the State:

To the Senate and House of Representatives of the United States.

We, the undersigned, inhabitants of the State of Rhode Island, believing the law passed at the late Session of Congress, in relation to the surrender of Fugitive Slaves, to be immoral and inhuman, respectfully ask its immediate repeal.

At its January Session, each member of the Legislature, was furnished with a copy of "Spooner's Defence for Fugitive Slaves." This by the liberality of Joseph Veazie, Esq.

Our thanks are due Martin Robinson, Esq., of this city, and Dr. Peleg Clarke of Coventry, for donations of valuable files of papers. Mr. Robinson, six volumes of the *Liberator*, and two of the *Anti-Slavery Standard*. Dr. Clarke, three volumes of the *Liberator*. We would solicit like favours from other Anti-Slavery friends.

We also tender our thanks to those friends, who, by furnishing a Time-piece, Chairs, and various other articles have contributed to render our new office so pleasant and comfortable.

For eight successive years the Ladies Anti-Slavery Society of this city, has furnished refreshments for those attending the Annual Meeting of the State Society. These reunions around our Anti-Slavery board, have been so pleasant, that we are confident that the members of that Society feel themselves more than repaid for their labour and expense. We thank them heartily, but still entreat them not to weary in well doing.

As an indication of the advance of Anti-Slavery sentiment, and a pleasing sign of the times, an Excursion for poor children, which was got up in this city, during the past summer, deserves notice. An invitation was extended to all poor children, without distinction of colour or nation. They attended, to the number of *sixteen hundred*, a happy crowd. All seemed to feel perfectly at home. The day following the excursion, the same children were invited to attend the exhibition of the "Seven Mile Mirror." At another time the children from the "Shelter for Coloured Orphans," were admitted gratuitously to the same exhibition. To Mr. Perham, the gentlemanly proprietor of the "Mirror," are due our grateful acknowledgments for his interest in our cause.

Messrs. Charles L. Remond, Wm. L. Garrison, Geo. Thompson, S. R. Ward, and others, have lectured in the city and State, profitably to the cause, we trust.

This Society and the cause, have been materially aided the past year, by the Pawtucket friends. They have contributed *one hundred and eighty-five* dollars, toward the support of the Office; employed Charles C. Burleigh as a lecturing agent for the State, a portion of the winter, besides doing much in their own place. Without this aid, this Society, in all probability, would not have lived to see its Sixteenth Anniversay. We cannot thank them enough.

For a statement of the financial condition of this Society, see the Treasurer's Report. It should be stated that one source of revenue has been closed the past year. The nett proceeds of the Annual Fair, held in this city, were only forty dollars. At the time of holding the Fair the weather was inclement, and several of our most efficient helpers disabled by sickness. However, we hope to do better another year.

A word as to the operations of the "Fugitive Slave Law." No one from this State has been carried back to Slavery by it; but many, through fear, have been constrained to flee into Canada. At least *fifty* have gone from Providence and vicinity, many of them heads of families. They have sacrificed their business, their property; forsaken home, kindred, friends, and fled from the fear of bondage. After every possible sacrifice on their part, they still needed money and clothing. We could not send them away destitute, hence the Anti-Slavery friends have been sorely taxed. The suffering caused by this "Fugitive Slave Law" in our little midst is indescribable. Husbands torn from wives parents from children. Thus we are made to see that Slavery does really rend asunder what God has joined together. This law has made us realize that the North *has* something to do with Slavery. Let the cry of the poor go up to Heaven against the perpetrators of this infamous deed. God never disregarded such a cry. Tell it to our citizens, that Rhode Island whose founders were exiles for liberty's sake—that Rhode Island can no longer afford security, protection, and a home, to the children of cruelty and oppression. As yet, we have been spared the humiliation of our sister States, Massachusetts, New York, and Pennsylvania, but how soon our time may come we know not. *When* it comes, be it sooner or later, may there be found in all our citizens the heart and spirit of a Williams, a Greene, a Barton, a Hopkins, a heart and spirit which will affect a result not unworthy the descendants of these Patriarchs.

Circulars have been received from S. E. Sewall, and from the Vigilance Committee, in New York, asking for aid to meet certain exigences caused by the "Fugitive Slave Law." Gladly would we have complied, had our circumstances warranted it. We have had to help our own Fugitives, to assist those coming to us from other States, to carry forward general operations, and beside agents for the *Chaplin fund* have been among us. We could do no more.

We sympathize deeply with our brethren in Massachusetts, New York, and Pennsylvania, and all that we can do, we will do. In their imprisonment, we give them the hand of fellowship, and bid them be of good courage; be steadfast, for their sufferings shall redound to the emancipation of our beloved land, from the stain, the guilt and curse of Slavery. The Circulars are recommended to the Society's attention.

That our friends may know the character and variety of the appeals made to us, it may be well to state that very many have been among us, the past year, for the purpose of raising funds where with to purchase their families. Gilbert Whitaker, from the District of Columbia, an old man of more than three-score years, would purchase his daughter, who, because she was *sick*, was about to be sold. Oh! the tender mercies of Slavery! The price of his child, *five hundred dollars*, he raised and paid. One hundred and fifty dollars, he raised in this State. Eliza Gordon, of Louisville, Kentucky, a light coloured, graceful, intelligent appearing woman, came to us some two months since. Her case was one of peculiar interest and hardship. When thirteen years old, she was carried to Ohio, where she remained *fifteen* years. During that time, she was married and became the mother of *three* children. Some two years since her husband died. About that time she was betrayed, and, with her free born children, was carried into Slavery. Having realized the value of liberty, she would not consent to be a slave; more than all that, she could not endure that her children must be slaves. After conferring with her master, he consented to sell them all for *one thousand dollars*. But how should she, a lone woman, friendless, a widow, and a slave, raise such a sum? She must go Northward. Her mother and her sister, who some time before had obtained their freedom, consented to remain as her hostages. Her story excited much interest She was assisted by the New York *Journal of Commerce*, Governor Pinney, and others. When she arrived in this city, she lacked seventy-five dollars of the amount, this she readily raised, together with a sum nearly sufficient to defray the expenses home. We have the promise of a Daguerreotype of herself and children for our office. Henry Carson, of Washington, a short time since, in the course of one week, raised forty dollars towards his own freedom. Warner Harris, a most estimable man, and worthy church member, is now in prison, in Washington, charged with aiding in the Chaplin case. His fine is three hundred dollars, and costs of trial. His wife has, within the last few days, collected in this city, twenty-five dollars and fifty cents. These are a few of the many cases which are constantly presented to our attention.

Of the political parties (Whig and Democratic) of this State, we can only say, that the signs of promise concerning them are not very promising. The Whig Party seems to be fast going to destruction; whether the Democratic Party will learn a lesson of wisdom remains to be seen. If it will love compromise and cringe to Slavery, it will soon go to destruction; the sooner the better.

The above statements and facts will convey to your minds some idea of our situation as a Society, and of the work we are constantly called upon to do. Are we prepared to go onward? Are we prepared to exercise self denial, endure obloquy, brave persecution, and march boldly to prison, and death if necessary? These are what the crisis demands; nothing less is wanted now; surely it cannot be said that the Rhode Island Anti-Slavery Society is wanting in this behalf No! no! Its members have encountered and endured too much, now to falter, *now* to refuse to give of time, their money, their labour; to draw back *now* is to lose all that we have done; is to acknowledge defeat, and to say that error is mightier than truth. Let each one, then, the coming year, do much more than heretofore. Do his utmost. The *Office* must be sustained, Publications must be furnished and circulated, fugitives must be aided, agents employed; say, friends, shall it be done, or shall we turn our sign to the wall?

Before we close this Report it should be noticed that *death* has again invaded our little band. One who, for many years, has always been present at our Anniversaries, is with us no more. Her earnest labours for the emancipation of her countrymen are ended. Herself a member of that class whose color is their crime, of a truth it may be said none felt more deeply the wrongs and burdens of her people than SOPHIA D. PECK. But she has passed to that world where none are despised and all are free.

AMARANCY PAINE, Secretary.

Domestic Correspondence.

FROM OUR BOSTON CORRESPONDENT.

NO. XCIV.

THE ARGUMENT.—*The Correspondent at Plymouth—And why?—Anti-Slavery pickings and stealings—Fourth of July, Liberty and "our Country's Bird"—The Crow in Eagle's feathers—Fast days—The Devil's Dish—The Sundays desabbotized—Vestimental worship—The Correspondent trembleth for the other Feast days—The Plymouth Meeting—Mr. Whiting and Seats of Learning—Mr. Burleigh and Samson—"Christ's Church on the green"—The President's Eyes—Their magnetic influence—Mr. Edmund Quincy—The Correspondent withholdeth his speech and giveth his opinion of him, and rejoiceth at finding himself in good company.—Mr. Phillips' Speech—The Correspondent describeth and criticizeth it—He censureth the harsh language of the Abolitionists—Where we went at night and what we did—The Bazaar—Shut out of Faneuil Hall—How and Why—The Correspondent excuseth the Mayor and Aldermen—The Bazaar turns to the Gentiles—Assembly Hall, what and where it is—Success thus far, &c. &c. &c.*

PLYMOUTH, Dec. 21, 1851.

Your Boston Correspondent, as you may perhaps gather from the date of this, has made a pilgrimage from that city which he illustrates by his letters to the City of Refuge of the Pilgrims. You will remember that when the Pilgrim Society dropped the day, several years since, the Abolitionists picked it up, as they have done several other little things of the sort, and appropriated it to their own use. Now, there is the Fourth of July, a day on which it is clearly impertinent to say anything about Liberty, excepting in her American masquerading gear—*that* day those pestilent fellows have laid violent hands on, and make no bones of talking about her in the most unbecoming and ungentlemanlike manner. They even take that occasion to strip our glorious "country's bird" of his eagle's feathers, and demonstrate, with as little mercy as Professor Agassiz showed to poor Mr. Gliddon's Mummy, that he is, after all, nothing but a rascal carrion crow. Then Fast Days, Regular and Special, when the people, one would think, might be allowed to enjoy unmolested that luxury which we are assured the Devil himself (who is admitted, on all hands, to be a perfect gentlemen) relishes with a peculiar *gusto*, I mean

"The pride that apes humility;"

even those hallowed hours are not free from the polluting breath of the Abolitionists, who go about comparing it with what the Lord has said of "the Fast which He hath chosen," as if *that* had anything to do with it! Sundays, we all know, "shine no Sabbath days to them." Comfortable, well-to-do citizens and their wives and daughters are disturbed in their enjoyment of the worship of their best clothes, and of their quiet naps, by the consciousness that, in some neighbouring Town Hall or School-house there is a set of impracticable fellows denying their Christian character, and, perhaps, taking the name of their minister in vain. In short, I should not be surprised to find these pests pouncing down, like harpies, on Washington's Birthday, the Fourth of March and the Anniversary of the Battle of New Orleans.

As to this particular demonstration, quite a large number came up from Boston and from along the line of the Old Colony Railway to assist at it. The Meeting had been in session during the day, upheld by Nathaniel H. Whiting, who brings from the shoemaker's bench a force of thought and a fluency and correctness of language which few men carry away from more *pretentious* seats of learning, and by Charles C. Burleigh, whose claim to a resemblance to Samson is capable of stronger proof than is to be found in

"His looks robustious clustering down."

We arrived in season for the evening session, when we found the Green Church ("Christ's Church on the green," it might now be called) almost, if not quite, entirely filled with an attentive auditory. After the usual pause at the beginning of a meeting, while the speakers were plucking up courage for a plunge, I noticed the President (Mr. Bourne Spooner) making play with his eyes (which all who have ever seen them know to be remarkably expressive) in the direction of a pew on his left hand. He succeeded in magnetizing Mr. Edmund Quincy, of Dedham, to his feet

("He held him with his glittering eye!"),

who, on rising, stated the necessity under which he made his appearance and consoled himself by the reflection that, as Falstaff said of his men, "he would fill a ditch as well as another." He then proceeded in a strain of remark which I forbear to visit upon your readers, partly because I do not remember it, and partly because I would not shock their patriotic feelings. I have, all along, made it no secret that I do not entertain so high an opinion of this gentlemen as some of his partial friends profess to do. And in this particular, however widely I may differ from my fellow-citizens on many others, I am happy to believe that I am by no means singular.

When he had taken his seat, Mr. Wendell Phillips followed, who, whatever might be thought of the manner of his speech (which was, really, not bad), it was, subtantially, no whit more judicious or conciliatory than that of his predecessor. For example, he said such things as these: That this generation *was* the legitimate representative of their Pilgrim Fathers; that the Fathers were not in advance of this age—for they sold the Indians into Slavery and hanged the Quakers, when they came in their way; that no generation ever carried out the principles it laid down. *That* was left for the one that came after. The American people of this day stand just where the men of '76 stood. Their blame is that they have not advanced from that position; that they have not applied the principles which the men of the Revolution enunciated. They come together on Forefathers' Day and on the Fourth of July, and plant themselves knee-deep in the graves of the Fathers, and no wonder that they are crippled. The Abolitionists are the true heirs of the Ideas of the Emigration and of the Revolution, and the reason why they are hated of the majority of the people, who stand just where the Fathers did, is, that they insist upon reducing those ideas to actual practice. It was a well known idiosyncrasy of the reigning family of England, that each successive monarch of the Guelph dynasty hated his heir. George I. hated George II.; George II., in his turn, hated Frederick, Prince of Wales; George III. quarreled with the prince afterwards George IV., and he, when Prince Regent, quarreled with the Princess Charlotte So it is with the dynasty of Ideas: the men in possession of the regalia hate the lawful heir They say of them, with Rufus Choate, in Faneuil Hall, that they "are men who, *from the Declaration of Independence and Gospel of Jesus Christ*, INFAMOUSLY INFER THE DUTY OF IMMEDIATE EMANCIPATION!" He said, quoting Mr. Emerson, I believe, "had Webster lived in '76, he would have been a Tory. That, while building the sepulchres of John Hancock and Samuel Adams, he fails to discern the Hancocks and Adamses of his own day." When wicked laws are made, those men taught the example of disobedience. The Rescuers of Shadrah, the men who fought the Battle of Christiana and who carried the Syracuse Barracoon, are the legitimate offspring of John Hancock, of Samuel Adams and of the Revolution, while Daniel Webster is an ABORTION!

You will be pained to hear that such sentiments as these actually "brought down the house." There were just hisses enough to show that patriotism is not yet wholly extinct in Plymouth. Mr. Garrison concluded the evening with a speech which seemed to make an impression, and which, to judge from appearances, expressed his real sentiments, however wild and violent. It is strange that these people cannot learn to be wise in their generation, and to cease from saying such very disagreeable things, in so uncommonly unpleasant a way. Doth not molasses catch more flies than vinegar? Have we not Tasso's authority for saying, that if a bitter medicine is to be administered to a sick child, the lip of the cup should be touched with honey? Have we not ample assurance that all that is necessary to prevail on the Slaveholders to let their slaves go, is, to ask it of them in a polite and courteous manner? But there's no use in talking to such pig-headed fellows, as I know well from my own experience. So we must "let them e'en gang their ain gait," as the Scotch say. After the adjournment

personage, outside, one of the Judges of the County. He gave us a flowery oration of an hour. I had spoken of the want of intelligence among the people of the whole country, as to the character of their leaders and rulers, as one cause of the corruption and misrule which mark our national career, much in the strain of a member of Congress, who, a year or two ago, said in his place, that "if the people in the masses, could look in upon us and our proceedings here, they would rise in righteous indignation, sweep the Capitol of the whole of us, and send us scampering to our homes."

The judge endeavoured, by one of the demagogue tricks, in which he seems to be well schooled, to arouse a prejudice against us, as Massachusetts men, who had come into the valley of the Mohawk to enlighten and teach the people. He drew a parallel betwixt the two places, on the question of education and intelligence; and made it very plain that Massachusetts, much the most, needed the missionaries. As this was a question we had not raised or considered, we felt under no obligation to reply. And besides, the manner of the judge, we felt, entitled him to but very small notice or attention at all. But the best of the whole was, that his mean attempt to prejudice the people against us on account of our being Eastern men, failed altogether. One-half minute sufficed to set all right, and to bring down the whole house almost, in a peal of cheers and laughter against him, in the midst of which he seized his hat and cloak, and rushed out of the hall. O, won't it be glorious, when everywhere the common people thus spurn the contemptible arts and falsehoods of those whom a little brief authority or whose wealth or seeming talent has raised (as they think), above them?

The only other incivility we have encountered, was from a lawyer in Salisbury. But as we couldn't possibly descend to his level in the meeting, as it would have carried us far below the whole circle of bird, beast, or reptile existence, so I will not notice him here, and thus do him full justice.

We find but very few people who endorse the motto of "No Union with Slaveholders." But in general, our discussions are marked by a candour and good feeling on the part of our opponents, which is surely the next best thing to a full agreement with us. And then, there is one other fact worthy of most honourable mention. There is scarcely a place where we go, in which there is not at least one meeting-house opened for our use; and, in several cases, it has been without any charge for warming and lighting. And in this connexion permit me to add, that we find the generous hospitality of the people worthy of the highest commendation.

Almost everybody is strongly wedded to both Church and Government. But few real adherents to the Church attend our meetings. The ministers, even, of the Free Soil and Liberty parties, stand as far aloof from us, as do the Hunkers of the straitest sect. And they do their best to keep all others from our discussions also. There may have been a minister at one or two of our lectures. But though we have held now about twenty meetings, in seven or eight different places, we have heard nothing *from* them (except once), nor a word *about* any of them, but of the most unfavourable character. The war-whoop of the Church and pulpit here is, "Infidelity and Abby Kelleyism." That once sounded, almost the whole body stand clear of us.

Last Sunday we were at Norway. One of the churches at least claims to be *par excellence* Anti-Slavery. But it held its *three meetings* next door to ours, and its most Anti-Slavery members walked straight by us, day and evening, to attend them. Anti-Slavery with such can only be counted what we farmers used to call "Foul Weather Work"—work to be put off till a rainy day, when we could do nothing else. It is this lukewarmness among professed friends that stabs the comfort and enjoyment of the lecturers who are abroad more than all the mobs and other opposition of all the world beside. A good wish was it, "*I would that thou wert either cold or hot.*"

Should we continue here some weeks, I will endeavour to keep you and your readers informed whether it is to any purpose. As to subscribers, to papers, it will be enough to say in defence of my friend Ford, who mainly has charge of that department, that Mrs. Foster has very recently passed over this ground; and where she has been, an after-gleaner will find generally but poor encouragement. If people resist her solicitation, it is vain to appeal to them afterwards.

Yours most devotedly and truly.

PARKER PILLSBURY.

Newport, Herk. Co., 11 Dec., 1851.

P. S You almost apologize in your last for giving so much room to the Trials of the Christiana Rescuers. I assure you there is no need of apology. So far as I have heard, your readers are truly grateful to you for so good an account as you have given thus far. I think you can fill the *Standard* with nothing better than these proceedings; adding your own comments, as may, at times, be needful to connect and elucidate them. Thirty or forty men threatened with HANGING for a deed of compassion, of obedience to God, is a matter about which every paper in the land should fill its columns, till such tyranny is burned in the brimstone and fire of a world's just indignation.—P.

Foreign Correspondence.

FROM OUR DUBLIN CORRESPONDENT.

DUBLIN, November 21, 1851.

MY DEAR GAY: I observe that an effort is being made in the United States to interfere on behalf of the Irish political exiles, now suffering sentence of exportation in Van Dieman's Land. I heartily hope this effort may succeed, for I always considered Smith O'Brien, Meagher, Mitchel, Martin and O'Doherty, disinterested, high-minded patriots, filled with aspirations for the good of Ireland, and willing to risk everything in an effort for her redemption. But I never thought they went the right way to work. This is a free country, the press is free, opinion is free, and they suffered the penalty of efforts to overthrow the government, which could not be tolerated anywhere, and would have been punished with much greater severity by any other government. At this present hour, Captain Drayton and Captain Sayres are suffering a much more cruel and vindictive penalty for attempting the liberation of a handful of slaves from bondage, than the Irish exiles incurred by doing their best to dismember this empire, an attempt which could not have succeeded without the loss of thousands of lives, and the expenditure of millions of treasure. All that was valuable in what the Irish exiles sought for, could have been gained by patience and perseverance in the use of peaceful and constitutional means. It is said in an American paper, that they sought for better laws and institutions for Ireland. If they did, this is the first time I have heard of it. I know they desired to make Ireland independent of England; but any one who knows that the portion of the Irish people who wished for a repeal of the Union is exactly that portion which is under Papal influence, to a degree not exceeded in any country in Europe, knows that, under such influence, good laws and good institutions are impossible. The Protestants of Ireland, and a great majority of the more educated Roman Catholics, know this well, and therefore no disposition exists amongst the wealthiest, most intelligent, most influential portion of the Irish people for any political change which would separate them from a powerful, enlightened government, which has proved its attachment to liberty more sincerely than any other in the world. It cannot be denied that, compared with the treatment of political enemies in Europe, and that of the liberators of slaves in America, the conduct of the British government towards Smith O'Brien and the rest was forbearing and magnanimous. I know that some of them, who accepted tickets of leave on their arrival in Van Dieman's Land, and broke the condition they promised to observe, have been treated with more severity than was originally intended. But in an emergency of this kind, the sufferers had a choice, and they deliberately selected the disagreeable alternative. Doubtless, prisoners in any part of the United States would greatly aggravate their punishment by deliberately breaking the prison rules, and in such a case they would have nobody to blame but themselves. Whilst I fully concede that the motives which influenced these Irish exiles in their proceedings were such as we must sympathize with, I think their conduct evinced neither sense, discretion, nor judgment. They rushed upon their fate, and no such enterprise could have succeeded under men who appeared bent upon giving their opponents every information and advantage.

We do not honour men merely for their dispositions, but for the ability, prudence and other qualifications that fit them for a great enterprise, and for the judgment they evince in selecting the right time and the right circumstances for making their attempt. These were wholly wanting in the Irish leaders; and history does not present an instance of the leaders of an insurrection so daring, yet so foolish in its circumstances, being treated with so much leniency by a powerful government.

By the time this reaches you, Kossuth will have arrived on your shores. His course in England has been a continual ovation, an occasion of unexampled interest in its kind. He has been seen and welcomed by a greater number of the people than ever before welcomed a stranger to their shores, who was not specially patronised and had no individual connexion with their history. The impression made by his demeanour, his talents, and his splendid eloquence, has been immense, and, I fully believe, beneficial upon both the government and the people. Lord Palmerston,* our minister for foreign affairs, replied to a deputation that recently waited on him to thank him for his successful intervention on behalf of the Hungarian exiles, that the moral power of the English government is undoubtedly immense, but that it was vastly assisted by the declaration of public opinion and sympathy in its favour. I conclude from this reply that although the government could not, as a matter of etiquette, interfere in the manifestation of respect to Kossuth, his cordial reception by the people is by no means unpleasing to our rulers.

I observe from your newspapers that an effort to disparage Kossuth is made in many parts of your country, and has all the appearance of a preconcerted plan. This does not surprise me in the least. A government made up of slaveholders and slavecatchers cannot really welcome so illustrious, gifted, and hitherto consistent, a champion of human liberty as Kossuth, who makes it his proudest boast that he procured the liberty of 500,000 serfs (or *adscripti glebæ*) in his own country. In Ireland, the enthusiasm on his behalf has been but feebly manifested, chiefly because he is the sworn enemy of despotic Austria, and despotic Austria is the main stay of the papacy. The subjugation of Hungary has been followed by the persecution of the Protestants and the ascendancy of the Jesuits in that country; and as Kossuth has mentioned this fact in his speeches, he is denounced as a bigot by the Romish priests, who abhor freedom of conscience so much that they hate a man who dares to complain of being denied its exercise. The character of the reigning American statesmen, and the sympathy with despotism inseparable from the principles and interests of the Romish priesthood (in America as well as everywhere else), fully account for any calumnies that may have been circulated against Kossuth. The Dublin papers, in their interest (one in particular, the *Freeman's Journal*), have done all they could to depreciate him, calling him a bigot and a rebel, and declaring that the condition of Hungary under Austria was superior to that of Ireland under England. Politically speaking, and in every respect of personal and intellectual liberty, nothing could be more untrue. Kossuth *is Hungary*, in a sense in which Ireland was never represented by any man, and the attachment and veneration of his countrymen prove how completely they identify themselves with his efforts on their behalf, and with his hopes for the future. The longer his stay has been in England, the higher has been the veneration for his character, the greater the admiration for his talents, the deeper the sympathy for his cause, the more intense the contempt and abhorrence of his calumniators, and the more complete the refutation of their accusations. Oh! that he may be true to the slave! But this is almost too much to hope from mortal man, under circumstances of such temptation.

I have seen Father Mathew's farewell to the people of the United States, full of oily words and windy eulogies of your material prosperity, but not a breath of sympathy for the millions of degraded and degrading bondsmen within your borders. I hope, but with trembling, that the great Magyar may not sink to the same miserable level of moral nonentity.

Yours ever truly,

RICHARD D. WEBB.

XXXIId CONGRESS.....First Session.

SENATE.....WEDNESDAY, DEC. 15, 1851.

THE COMPROMISES.

Mr. FOOTE called up his resolution declaring the Compromise Acts a definite settlement of the Slavery questions

Mr. BUTLER, in reply to Mr. Foote's speech on this subject, said he regretted the debate on this resolution had been suspended in the Senate, for had it not been he would have but little to say. He had come into the debate unexpectedly, and would have said but little; but the Senator from Mississippi, in his reply, had satisfied him that further remarks from him were necessary. The Senator had made some remarks and some allusions concerning him at South Carolina, which made it necessary for him to detain the Senate to-day. The Senator had not only introduced his resolution to defend the Compromises, but in his remarks had fired into the camp to which he formerly belonged. Such an endorsement and re-affirmation of past legislation was unusual. The Bill of Rights and Magna Charta had been, he believed, re-affirmed, but it was only such matters that ever called for such unusual legislation. The Senator had alluded to the delay in bringing forward the Fugitive Slave Bill at the session at which it passed; and it might be inferred that he, the Chairman of the Committee which reported that bill, had delayed it. He reported the bill at an early day, had addressed the Senate in its favour, and Senator Dayton had the floor on it when the Compromise Committee was started. He would now call on the Senator to say how many of his Northern allies and friends of Compromise had voted for that bill? Only three—the Senators from Iowa, and Mr. Sturgeon. Senator Dickinson would have voted for it, but he had paired off with his colleague He hoped that these Northern Senators would, as he had no doubt they could, explain whether their absence was the result of accident or otherwise. Mr. Butler then read the report made by him on the President's Message, relative to the resistance in Boston to the Fugitive Slave law. With the sentiments expressed in that report he now agreed. The President asked for an amendment in the laws, so as to place under his orders an armed militia, to be controlled by his marshals, who, with ball and bayonet, were to be called into service to put down any resistance to the laws. This force was to be used without even first reading the riot act. He was opposed to clothing the Executive with any such power. He thought it ominous that such power should be asked. He did not believe then the the act would ever be executed. He did not believe it had been executed. It could never be employed. He had heard it said that such combinations, with a view to rescue a negro, would be declared treason. The Court had already declared that it was not. The parties, then, who resisted this law, would be placed under the jurisdiction of the State Courts, to be tried by judges and juries whose sympathies were with the people who were to be tried, even if a conviction took place. No Executive of a Northern State would hesitate to pardon or to commute the sentence. The Senator from Mississippi was or was not in favour of the Compromise. He was in favour of the admission of California, and of the abolition of the slave-trade in the District of Columbia, or he was not. He had denounced more fiercely than that Senator the Executive interference in the formation of the State government in California. No one more than he opposed her admission, as against all precedent. Now, the Senator comes forward and says that California came into the Union as every other State did. It was announced that no other slave State should ever come into the Union—that no other slave State should be permitted to pollute the Union—that the slave States were not in point of politics of a capacity equal to the others. How could he endorse such sentiments by voting for such a measure? He would ask the Senator from Mississippi the question. If the proposition were introduced to-morrow to divide California, and allow one or both parts to be admitted as slave States, would the Senator vote for it?

Mr. FOOTE said that, during the debate on the Compromises, he had introduced two propositions to divide California, neither of which had received the Senator's approval. He had made them after great consideration but neither had met with support. He anticipated that if the proposition were now introduced for dividing California by the line of 36 deg. 36 min., or 35 deg. 30 min., he should vote for it.

Mr. BUTLER said that the Senator now had before the Senate a proposition declaring the Compromise immutable; and yet he does not hesitate to declare that he would vote to-morrow for a proposition overturning the whole of it.

Mr. FOOTE said he would vote for the proposition to divide California, as he would for a proposition to divide Texas, or any other State in the manner prescribed by the Constitution. The Compromise was not above the Constitution.

Mr. BUTLER said the Senator would never, nevertheless, vote to disturb the definitive settlement. The Mississippi Convention have resolved that there is no remedy in secession of the Federal usurpation; but that the State, in certain contingencies—upon the taking place of certain legislation by Congress—would resist such legislation by revolution. Now, supposing that State engaged in a war of revolutionary resistance for the purpose of destroying all connection with the Federal Government, on which side would the Senator be found?

Mr. FOOTE considered it an insult to place Mississippi in such a disgraceful position as calling on her sons to make war on the General Government. When such a time did arise he would deliberate and decide the question. When his State was assaulted—when she called to arms—when his fireside was invaded—he would have no difficulty in deciding where his allegiance was due. He would not in such a case pause to chop logic upon where his allegiance called him; his heart told him where that allegiance was due. He knew there were a great many persons in Mississippi who would be found to support her ordinances, and he would not consider them traitors far so doing. They might be denounced as traitors, and the General Government might prepare the rope wherewith to hang them; but at this day it ought to be known that but a few freemen died by the rope when they had arms in their hands. The Senator was opposed to amendments to the Constitution, and had said the Constitution of Washington was good enough for him, without amendment. The Constitution itself, framed by its wise founders, contained a provision for its amendment. He would vote for an amendment declaring that Congress should give to all the Territories a government without the Wilmot Proviso. He would vote for other amendments, giving guarantees to the minority against the power of the majority. He alluded to his (Foote's) comments on the amendments of Mr. Calhoun, for a dual executive; and, for one, he was not prepared to say that such an amendment would not be beneficial to the Union. He could see no harm in providing that the laws passed by the North should require the approval of the South. The Senator had denounced all the other opponents of the Compromise. He (Mr. Foote) disclaimed having ever imputed improper conduct to those who had offered the Compromise.

Mr. BUTLER considered the Senator from Mississippi responsible for the meeting of the Southern members of Congress, and for the Southern Address. The Senator also should bear the responsibility of the Nashville Convention. After all these efforts by the Senator in his recent speeches, he had gone into the subject of the late struggle in South Carolina. He (Butler) had had great difficulty in that internal struggle. He had opposed friends and relatives. Those who stood up for the execution of the Resolutions of the Legislature were as high and as honourable men as any in the world, notwithstanding the denunciations poured upon them, and the attempt to put them under the ban of treason.

Mr. FOOTE disclaimed having denounced any others in South Carolina than those demagogues and traitors who urged the people of that State to attack the forts of the United States. All such he denounced again, and for all he had said, was responsible, now and hereafter, here and elsewhere.

Mr. BUTLER said the Resolution of South Carolina in 1848 were for co-operation in 1849. They were the same, and those which had been adopted in 1850 were based upon the action which had taken place in Mississippi. When he heard the troops had been sent to Fort Moultrie, and the guns of Fort Sumter were pointed upon his soil, he had great difficulty in entering into the contest, which took place in his State. It was a state of affairs produced by what had taken place in Mississippi.

Mr. FOOTE said, he had signed the Southern Address—he had sent Calhoun's letter to his State; but in neither of these was a word said about secession, or an amendment of the Constitution. If South Carolina had followed the course recommended by Mississippi in the Nashville Convention, a different state of things would have resulted. He alluded to a speech made in Charleston, by the author of the Address of the Nashville Convention, in which it was said that he never expected to see 36 30, the lines recommended by that Convention, adopted; that he had been tired of this Government for twenty years, and desired to get free from it, &c. Such language has produced the effect in South Carolina, and not the course of Mississippi.

Mr. BUTLER, said that as allusions had been made that could not be mistaken, he would leave the floor to his colleague.

Mr. RHETT said, at the close of the last session, Mr. Clay, in a speech on the President's Message, had made some personal allusions to him, which he rose to reply to, but, at the suggestion of some friends, he had postponed his speech till a report was made on that message. The report was not made till the last hour of the session, when he could not reply. On other occasions the same Senator had styled him traitor. If the Senator from Kentucky ever appears in the Senate again, that speech would be delivered. If the Senator from Mississippi had introduced the proposition here that no State had a right to secede, and that all who aided a State in so doing were traitors, there would be some excuse; for, on that subject, there had always been a difference of opinion. Epithets may or may not amount to anything. Gen. Gage, in writing to the British throne, said, "Were it not for demagogues and traitors, who controlled the people, the rebellion could be put down." Arnold himself spoke with a sneer of WASHINGTON, the rebel traitor. The people he represented were secessionists—were disunionists—and he was free to declare he was a secessionist, and that he was, under the present state of affairs, a disunionist. He had despaired of the rights of the South—of all justice and equality from the Federal Government, not for 20 years, but ever since 1841. The overturning of Governments was not much. How was American freedom first obtained but by that course? Had the Federal Government been so administered as to secure the South equality in the possession and enjoyment of the rights guaranteed by the Constitution? He was satisfied it had not and never would be. He would show the Senate the cause of dissatisfaction of the people he represented. This Compromise dissatisfied them. It was not only unconstitutional, but deeply unjust and oppressive. He reviewed the statement of the amount of territory possessed by the United States at the time of the passage of the Oregon Bill, and also of that acquired from Mexico. He asked whether any Southern man with his slaves could enter and colonize one single foot of this vast extent of territory. The territory of the United States, gained by the common treasure of the United States, was equal in extent to forty-nine States each of the same area as Ohio. The South and its slave institutions were excluded from all of it. The Union was now comprised of seventeen free and fourteen slave States, and territory equal to forty-nine additional States had been given up to swell the number of free States—the South being doomed to remain fourteen only. The foreign emigration was equal annually to half a million, and thus population flowed in by way of foreign emigration alone sufficient to make five States each year, all to be free of course. That was the result of the Compromise, and with such a measure, the people of the South were expected to be satisfied. What was the prospect of the South? Now seventeen free States and fourteen slave—the South excluded from territory equal in extent to over forty new States, and they rapidly filling up with a foreign population—could any man say this was a very safe, comfortable or triumphant position for the South to occupy? Under the evident tendency of the Federal Government, it would not be long before Maryland, Virginia, Kentucky, Tennessee, Missouri and North Carolina would be free, and then a general emancipation would soon follow. Still, he had hopes of the South herself. He did not despair of her altogether. He did not despair even of Mississippi, for he believed there were some freemen there yet. He would not despair of the South till she was another Hungary. He believed that if the South continued under the Union as at the present time, itself, without any federal action, would seal the destiny of the South, socially and politically. He did not consider the tax on tea which aroused our fathers, equal in injustice to this great spoliation of the South. He argued the admission of California to have been unconstitutional. The Senator from Mississippi had taken that ground in his letter to Governor Quitman. The Wilmot Proviso was in the Constitution of California, and Congress, by recognising that Constitution, recognised the Wilmot Proviso. Again, the Constitution says new States may be admitted. California was no State, but simply territory of the United States. Congress in admitting her had no authority to do so under the Constitution, for power was only given to admit new States.

Mr. FOOTE desired to explain. If the Senator from South Carolina is unwilling to be interrupted, let him say so and I will not do it.

Mr. RHETT—The gentleman had better not interrupt me—I have not a very good temper, and his, perhaps, is no better. He next examined the Territorial bills, which, it was true, did not contain the proviso, but the Act gave Mr. Fillmore the power of appointing Judges and Marshals. The majority of Judges appointed were known to be of opinion that the Mexican laws abolishing Slavery were now enforced in Territories. The Wilmot Proviso was in effect spread over all the Territories. By the Texas Boundary bill the South lost four States. He commenced an examination of the question whether the Fugitive Slave Law had been enforced, and denied that it had—when he gave way to a motion, and the Senate adjourned.

DECEMBER, 16th.

The resolution declaring the Compromise a definite settlement of the Slavery question was taken up.

Mr. RHETT resumed—He reviewed the financial policy of Government, and said it had been uniformly prejudicial to the South. The war of 1812 settled all apprehensions that the U. S. could maintain a Government against foreign nations, and then commenced the aggressions on the South. The Tariff of 1816 was adopted; in 1818 a new Tariff was adopted; in 1819 the Missouri question arose. No difficulty would have grown out of that question, had it occurred before the war; it was settled by a Compromise which meant nothing more than submission by the South. The South yielded her equal right to all the territory and accepted one-fourth. Not more than three years after the Tariff of 1824 was passed; the South submitted, but the end was not yet. He then detailed other events, among them the adoption of the Tariffs of 1828 and 1831. The South resisted at last, and the result was, a Compromise. After this commenced the attempts to give Congress the jurisdiction of the Slavery question. In 1838, the Democratic party attempted to resist it, and had it not been for the weakness and imbecility of the South, the 21st rule would never have been abolished. In 1842, the Tariff of '33 and the 21st rule were both swept away by the power of the North. In a few years after came the Tariff of 1846, which was nothing more than a slight modification of that of '42; there was but a slight difference between them; then followed the struggle over the territory acquired from Mexico. By every one of these several measures, from the Tariff of 1816 down to the Compromise of 1850, the South had lost all, till she was now degraded and prostrate at the feet of the North. He did not blame the North for this—those who submitted to wrong were more to blame than wrong doers. This last Compromise had hardly passed, before a proposition was introduced in the House increasing the Tariff, and it was only rejected by five votes. He read tables to show that from 1791 to 1845, there were only $300,000,000 more paid by the South than ought to have been paid by her, if taxation and representation were regulated by each other. Out of $102,000,000 expended by the United States from 1833 to 1837, only $37,000,000 were expended in Southern States. In the Revolutionary war, the South sent more men to the war in proportion to population than the North did; yet in 1848, in the North, there was one out of every 68 persons of the proper age who had revolutionary pensions, while at the South there was only one in every 110 persons. He recorded various other tables relating to pensions, bounties, grants of public lands, internal improvements, sales of public lands, &c.; from all of which he drew the conclusion that the North had by unconstitutional and unjust legislation, been built up and made powerful at the expense of, and to the injury of the South. The men who lived in the days of the revolution denied the right of the British Throne to tax them without their consent. The South had been most enormously taxed without her consent. The South, by her representatives, has protested most strenuously against all the taxation imposed on the people, and against the mode of expenditure, but in vain. Who could say she had ever consented to this taxation? She was now reduced to the condition of a colony, and was now the best colony to the North a nation ever had. Great Britain had no such colony.

After his return from the Nashville Convention, he had addressed the people of Charleston. He told them then 36 deg. 30 min. would not be adopted, and he had recommended that as in 1833, other States had deserted her, South Carolina should right herself. The struggle now was no ordinary one—it was not for liberty—not for justice—not for equality, but it was a struggle for existence. What had the South to gain by delay? She should act now—secede at once! If she remained longer, the result was inevitable; hence he was for secession—secession by South Carolina, with others; if not secession alone. The South would not be worsted; she could but have those guns now at Fort Moultrie discharged upon her. Her people could but be enslaved, and that they were now by the power of the North. The tyranny of this government was more ruthless than that of Austria which enslaved Hungary. He examined the question of the right to secede. It was no right given by the Constitution.

But, if in the Constitution there was no concession by States of their sovereignty, then the sovereignty of the States remained in them; and, in virtue of that sovereignty, they had the right to secede. That the States were sovereign was evident form the clause of the Constitution defining treason. It consisted in levying war against them, and in giving aid and comfort to their enemies. Treason did not consist in levying war against the General Government, but against the States. He read from the acts of several States ratifying the Canstitution, wherein the sovereignty of the States was maintained. He also read from the Journal of the Convention which adopted the Constitution of the United States, that several propositions, giving the General Government the power to coerce the States, had been rejected. Hence he concluded that the General Government had no power to coerce the States; and, where no power exists to coerce a State, that State is sovereign. He read from several papers by Jefferson, the Kentucky resolutions, Randolph's speeches and resolutions, all confirming the right of a State to secede. He referred the Senator from Mississippi to the late editor of the *Union*, who for fifty years battled in the cause of the right of a State to secede. All these authorities might be disregarded by that Senator, but he hoped the Senator would admit the potency of his own speeches. He read from a speech by Mr. Foote, in the Senate, some two years ago, made on the occasion of presenting certain resolutions of the Mississippi Legislature, and which had been denounced by the editor of the *National Intelligencer*. In that speech the Senator had quoted Jefferson, Barbour, Webster, and others, as authorities on the right of a State to secede.

Mr. FOOTE said he would resign all public office for the next twenty years, if the Senator could produce a line of his wherein secession had been claimed as a constitutional right, or wherein it had been claimed other than as a revolutionary right, to be resorted to only in case of intolerable oppression

Mr. RHETT asked why he had introduced the authority of Jefferson and others to prove that secession was a right?

Mr. FOOTE replied that he agreed with Jefferson and the others now.

Mr. RHETT—Then you are a Secessionist.

Mr. FOOTE—I am, so far as secession is a revolutionary right.

Mr. RHETT—This revolutionary right is all nonsense. If any one has power to prevent my exercising a right, then of what value is that right? If South Carolina secedes it is exercising a revolutionary right. Has any other power the right to interfere to coerce her? If it has not, then he would call secession a revolutionary right. But if the General Government had the right to interfere, then the revolutionary right becomes like the Senator's Compromises—a humbug. He owed allegiance to South Carolina alone. He owed no allegiance to Virginia or New Hampshire, or any other State. When he obeyed South Carolina, no one had the right to interfere with him; and if this General Government attempts to coerce the people of that State against her commands, it will meet with what it deserved, defeat, discomfiture, and disgrace. The first gun fired upon the people of that State, will arouse the people of the whole South, and they will rush to the rescue and aid of their brethren, and the power of the General Government will be exterminated by the sword. He alluded to the President's having sent troops to man the guns of Fort Moultrie. That fort was the property of the people of South Carolina before the Revolution, and there they were accustomed to celebrate their annual festivals. The minions of the President had driven back the people, and forbade their celebration on that ground. The guns of that fort were pointed at the city of Charleston. This fact would never be forgotten.

The Senator from Mississippi was the last man who ought to have attacked Mr. Calhoun. The Senator would well remember the occasion when that great man came into the Chamber, and was too weak to deliver his own speech. The Senator from Virginia had read that speech, the dying legacy to his country. All would have said to him, "Go, and die in peace." Not so the Senator from Mississippi. He could not let the dying man alone. He attacked him the next day, and spoke disparagingly and bitterly of him. All will remember his agitation. He left the Senate Chamber for his bed, his death bed. The Senator from Mississippi hurried him to his grave, and now that Senator is still digging at him.

Mr. FOOTE said, that if he could now obtain a vote on the resolution, he would not detain the Senate by a speech. He had heard all the Senator had said, expressed much more forcibly and clearly, a thousand times before, during the canvass in his own State. He could refute all that was personal, but he knew it was altogether unnecessary. He would like to have a vote on the resolution.

Mr. BORLAND, of Arkansas, said if no more speeches were to be made, he would make the motion to lay the resolution on the table.

Mr. MASON, of Virginia, said he desired to say a few words in explanation, and, on motion, the Senate adjourned.

DECEMBER 17th.

Mr. FOOTE's resolution declaring the Compromise the definitive settlement, etc., was taken up.

Mr. MASON addressed the Senate in explanation of various proceedings in the Senate on the Fugitive Slave law at the Session of 1850, explaining the causes why that bill was not pressed for action, and the causes of its delay.

Mr. BRODHEAD, in reply to Mr. Rhett, maintained that the Fugitive Law had been and would be executed. During the late elections the Democratic party made the execution of that law an issue, and had triumphed in Pennsylvania.

Mr. RHETT denied that the triumph of the Democratic candidate by 7 000 majority in a State where the votes were over 100,000, was any guarantee that the law would be enforced. Those who resisted would never be punished.

Mr. BRODHEAD said that because the majority was not over 8,000 was not the cause of the issue of the Fugitive law. There were other issues. He believed that if any prejudice existed in Pennsylvania to prevent the proper administration of justice, it was against the Abolitionists and not against the Slaveholders.

Mr. HALE said that the resolution declared the Compromise measures to be final, and yet the Senator from Mississippi had already declared his willingness to divide California.

Mr. FOOTE made several explanations, the purport of which was, that, in the Compromise, the admission of California was the point, and that it made no difference what her southern boundary was—her admission as a State was the material point. He did not consider the proposition to change the southern boundary as disturbing the Compromise.

Mr. HALE still considered the Senator as declaring he would vote for the division of California. In looking over the acts called the Compromise, he agreed with the Senator that the south gained every thing. Some might suppose the share of the North was California, yet we are now advised that the South desires it. California is to be divided! Whoever should hereafter look over the record would be compelled to say that the South in this Compromise got all, and that such had always been the case and always would be. When the historian came to write up this chapter, he must say that if the North spoke the truth, its language should be that of Balaam's beast: "Why hast thou beaten me three times? Hast thou not ridden on my back, am I not thine ass, and have I not borne thy burden?" He examined the several Compromise acts, and came to the conclusion that the South had got all she claimed: he thought the resolution ought to read "that the South will be satisfied with the Compromise till she wants more." He desired to know if the doctrine of constructive treason lately advanced was to be endorsed by this resolution; the very first principles of liberty had been prostrated and prostituted by doctrines of constructive treason, promulgated with respect to this Fugitive Slave Law.

The Senator from South Carolina has complained that the majority of Territorial Judges were of the opinion that the Mexican laws abolishing Slavery, were in force in the Territories. He knew not what the facts of that case were, but he did know that the Court which met in the room beneath the Senate Chamber was the very citadel of American Slavery.

Mr. SPRUCETON called the Senator to order. The Senator had said the Supreme Court had prostituted itself, and he did not consider such remarks in order.

The CHAIR decided that the rules only applied to the other House. The Senator's remarks were not forbidden by the rules.

Mr. HALE said that his remarks of "prostrated and prostituted" were not applied to the Supreme Court, but to another quarter. No case under the Fugitive Law had been brought before that Court. From the organization of the Court, it was so composed as to be the very citadel of slaves.

Mr. FOOTE was glad the Northern and Southern extremities agreed in opposing the resolution. He would take occasion to-morrow to reply to them both.

Mr. BUTLER asked what there was in the organization of the Supreme Court to which the Senator from New Hampshire objected?

Mr. HALE said that the Judicial Districts of the United States were so arranged, as to give a majority of the Court to States where the institution of Slavery existed.

Mr. BUTLER denied that such fact could ever influence the decision of any honest man. He would as soon submit all questions to Northern lawyers, if they were honest men, as he would to any others. He denied that the members of the Supreme Court were ever divided in opinion by any geographical line.

Mr. HALE said, that on the question, whether the Mexican laws abolishing Slavery, prevailed in the Territories, the lawyers North and South of a certain line entertained generally a different opinion; and he regarded it as no impeachment of a man's integrity that he should be influenced in his opinions by the institutions which surrounded him. He repeated the declaration, and on it he was willing to stake his reputation, that in the Supreme Court rests the final hope of Slavery.

Mr. UNDERWOOD replied defending the Supreme Court, and then the Senate adjourned

DECEMBER, 18th.

Mr. FOOTE's resolution was taken up, and,

Mr. BADGER (whig), of N. C., moved to amend the resolution, by striking out the latter part, and inserting the words, "a settlement in principle and substance—a final settlement of the dangerous and exciting subjects which they embraced, and ought to be adhered to by Congress until time and experience shall demonstrate the necessity of further legislation to guard against their evasion or abuse."

Mr. FOOTE said that he had no objection to the amendment, and it was agreed to. Ayes, 24, nays not counted.

Mr. Foote then addressed the Senate, in reply to Messrs. Butler and Rhett. He said that if the Compromise acts were but ordinary acts of legislation, he would never have introduced the resolution. But they were intended as a final settlement of an alarming and most dangerous question. They were introduced to soothe the feelings of the excited people, and to calm down their bitter animosities. They had had the effect intended, and the only remaining point was to assure the people that they were not to be disturbed again by the ruthless hand of faction. He read nearly the whole of the speech delivered by Governor McDowell, late member of the House from Virginia, on the value of the Union, and the necessity for its preservation. He was glad to hear the Senator from Virginia say yesterday that he had no sympathy with the doctrine of secession.

Mr. MASON, (dem.) of Va., said he believed a State had the right to secede whenever her people so determined. But he did not sympathize with those who advocated secession now.

Mr. Foote said he never believed the foul spirit of disunion lately breathed in the Senate by the Senator from South Carolina, had any friends or sympathizers in Virginia. He alluded to the charge made by Mr. Rhett, that he Mr. F., had followed and abused Mr. Calhoun to his grave; and repelled it with scorn. He read from the debates of that day what took place, and said that Mr. Calhoun had been in the Senate after it had occurred. He declared that the most friendly relations between him and Mr. Calhoun existed up to the last moments of the latter's life. In proof of this, he cited a publication made by Mr. Clement's, of Alabama, shortly after Mr. Calhoun's death, in which it was stated that he (Mr. Clemente) knew that those friendly relations existed to the last moment. He had heard, forty-eight hours before Mr. Calhoun's last speech was delivered, that it would contain a dangerous proposition. He consulted with his friends, and the result was, that the day after the speech was delivered, he took occasion to declare that what Mr. Calhoun demanded was not his demand. In doing this he had done no more than what would have been done by others if he had not. He gave a history of all his conferences and correspondence with Mr. Calhoun, previous to that session, and said he thought Mr. Calhoun ought to have disclosed his proposed amendment to the constitution to his friends. When it was alluded to, those who did not agree with it could say no less than say so. He read several pages from Mr. Calhoun's book, lately published, and made a running commentary on it. He thought it ill advised in Mr. Rhett to undertake the defence of Mr. Calhoun, for it was rumoured that the Senator had long desired to occupy Mr. C's seat, considering himself better calculated than that illustrious man to lead the South. He repelled, as unjust, the implied charge of being hostile to South Carolina. He regarded her people with admiration; but he had no respect for those who had been contemplating war with the general government, and who had gone so far as to designate Mississippians as leaders of the Southern army, and as the best persons to fill the office of President of the Southern republic. He mentioned the conversation with the Senator from Virginia, after the last Congress, in which the contemplated collision between South Carolina and the general government was talked over. It was agreed that, as, in 1833, Virginia, upon the suggestion of Mr. Cass, had sent a commissioner to South Carolina, so the same course should be pursued. Afterwards, it was determined to include Maryland with Virginia; and, for that purpose, letters were addressed to Governor Lowe and Louis McLane.

Mr. Foote here yielded the floor, without concluding, and the Senate adjourned.

DECEMBER 19th.

The Compromise Resolutions were then taken up, and Mr. Foote resumed his remarks.

He read letters written to Virginia concerning the propriety of interference by that State to prevent collision between South Carolina and the General Government. He examined the Missouri Compromise line, which was demanded by the Nashville Convention, and considered it nothing but the Wilmot Proviso upon all territory north of 36 30.

By the admission of California, it was said, the Wilmot Proviso was enacted. He wanted to know if it would not be equally enacted if California was admitted with her Southern boundary in 36,30? It was nothing but the Wilmot Proviso above that line, and below it was left open. He thought as California had full power to change her constitutional provisions at any time, the South had got better terms than if Congress had declared that Slavery should be forever prohibited north of that line.

The Territorial bills had been denounced by the Senator from South Carolina. Those bills contained no proviso, and received every Southern vote save two. He denied that the President had selected Judges for the Territorial Courts, after first discovering their opinions of the Slavery question were adverse to the South. Such an imputation was unjust toward the President. He had a letter from Judge Baker, of New Mexico, and said he would attach to his printed speech letters from others, showing that the Judges did not entertain such opinions. He read Mr. Rhett's speech in the Senate last March, wherein it was maintained that the Fugitive Slave Law was unconstitutional, and said Mr. R., by that and other speeches, did more than any other man to sustain and encourage opposition to the law. The Senator had built up a party against the constitutionality of the law. He read at length from the speech of Mr. Rhett on that occasion, and from works and authorities cited in that speech, showing that the Senator from South Carolina had said all he could to defeat the objects and rights of the South. The Senator had avowed openly that he was a Secessionist and a Disunionist. He was therefore an enemy of his country,—an enemy to his Governmen',—an enemy to this blessed Union, which had given so many blessings to the people, and which was destined to confer still greater ones, if faction and its reckless supporters would cease their efforts to destroy it. He (Foote) would hesitate long, while holding a seat here, to declare himself—a Disunionist. While the oath he had taken when he entered the Senate was on his conscience, his tongue would become paralyzed if he were to utter that he was a Disutionist. He left the Senate, however, to settle that point with his constituents, and with his own conscience. He read lengthy extracts, and said he would publish others, from Mr. Rhett's speeches, showing that, since 1832, that Senator had had held the same opinions as now, and that his secessionism did not commence in 1845, as stated. The Senator was an older offender than he supposed himself to be. That Senator went to Nashville—was chosen to deliver the address, and had exercised great influence over the deliberations of that body. He preached secession and disunion. He (Foote) agreed with Jackson, that intolerable oppression only would justify resistance to the General Government. The Syracuse Convention of Abolitionists agreed in this doctrine of secession. They too were for State Rights, and declared their great sympathy with their brother State

Miscellany.

BALLOONING.

It would appear that, in almost every age, from time immemorial, there has been a strong feeling in certain ambitious mortals to ascend among the clouds. They have felt with Hecate—

"Oh what a dainty pleasure 'tis
To sail in the air!"

So many, besides those who have actually indulged in it, have felt desirous of tasting the "dainty pleasure" of a perilous flight, that we are compelled to believe that the attraction is not only much greater than the inducement held out would lead one to expect, but that it is far more extensive than generally supposed. Eccentric ambition, daring, vanity, and the love of excitement and novelty, have been quite as strong impulses as the love of science, and of making new discoveries in man's mastery over physical nature. Nevertheless, the latter feeling has, no doubt, been the main-stay, if not the forerunner and father of these attempts, and has held it in public respect, notwithstanding the many follies that have been committed.

To master the physical elements, has always been the great aim of man. He commenced with earth, his own natural, obvious, and immediate element, and he has succeeded to a prodigious extent, being able to do (so far as he knows) almost whatever he wills with the surface; and, though reminded every now and then by some terrible disaster that he is getting "out of bounds," has effected great conquests amidst the dark depths beneath the surface. Water and fire came next in requisition; and by the process of ages, man may fairly congratulate himself on the extraordinary extent, both in kind and degree, to which he has subjected them to his designs—designs which have become complicated and stupendous in the means by which they are carried out, and having commensurate results both of abstract knowledge and practical utility. But the element of air has hitherto been too subtle for all his projects, and defied his attempts at conquest. That element which permeates all earthly bodies, and without breathing which the animal machine cannot continue its vital functions—into that grand natural reservoir of breath, there is every physical indication that it is not intended man should ascend as its lord. Travelling and voyaging man must be content with earth and ocean; the sublime highways of air are, to all appearance, denied to his wanderings.

Wild and daring as was the act, it is no less true that men's first attempts at a flight through the air were literally with wings. They conjectured that by elongating their arms with a broad mechanical covering, they could convert them into wings; and forgetting that birds possess air-cells, which they can inflate, that their bones are full of air instead of marrow, and, also, that they possess enormous strength of sinews expressly for this purpose, these desperate half-theorists have launched themselves from towers and other high places, and floundered down to the demolition of their necks, or limbs, according to the obvious laws and penalties of nature. We do not allude to the Icarus of old, or any fabulous or remote aspirants, but to modern times. Wonderful as it may seem, there are some instances in which they escaped with only a few broken bones. Milton tells a story of this kind in his "History of Britain;" the flying man being a monk of Malmsbury, "in his youth." He lived to be impudent and jocose on the subject, and attributed his failure entirely to his having forgotten to wear a broad tail of feathers. In 1742, the Marquis de Bacqueville announced that he would fly with wings from the top of his own house on the *Quai des Theatins* to the gardens of the *Tuileries*. He actually accomplished half the distance, when, being exhausted with his efforts, the wings no longer beat the air, and he came down into the Seine, and would have escaped unhurt, but that he fell against one of the floating machines of the Parisian laundresses, and thereby fractured his leg. But the most successful of all these instances of the extraordinary, however misapplied, force of human energies and daring, was that of a certain citizen of Bologna, in the thirteenth century, who actually managed, with some kind of wing contrivance, to fly from the mountain of Bologna to the river Reno, without injury. "Wonderful! admirable!" cried all the citizens of Bologna. "Stop a little!" said the officers of the Holy Inquisition; "this must be looked into." They sat in sacred conclave. If the man had been killed, said they, or even mutilated shockingly, our religious scruples would have been satisfied; but, as he has escaped unhurt, it is clear that he must be in league with the devil. The poor "successful" man was therefore condemned to be burnt alive; and the sentence of the Holy Catholic Church was carried into Christian execution.

That flying, however, could be effected by the assistance of some more elaborate sort of machinery, or with the aid of chemistry, was believed at an early period. Friar Bacon suggested it; so did Bishop Wilkins, and the Marquis of Worcester; it was likewise projected by Fleyder, by the Jesuit Lana, and many other speculative men of ability. So far, however, as we can see, the first real discoverer of the balloon was Dr. Black, who, in 1767, proposed to inflate a large skin with hydrogen gas; and the first who brought theory into practice were the brothers Montgolfier. But their theory was that of the "fire-balloon," or the formation of an artificial cloud, of smoke, by means of heat from a lighted brazier placed beneath an enormous bag, or balloon, and fed with fuel while up in the air. The Academy of Sciences immediately gave the invention every encouragement, and two gentlemen volunteered to risk an ascent in this alarming machine.

The first of these was Pilatre de Rosier, a gentleman of scientific attainments, who was to conduct the machine, and he was accompanied by the Marquis d'Arlandes, an officer in the Guards. They ascended in the presence of the Court of France, and all the scientific men in Paris. They had several narrow escapes of the whole machine taking fire, but eventually returned to the ground in safety. Both these courageous men came to untimely ends subsequently. Pilatre de Rosier, admiring the success of the balloon afterwards made by Professor Charles, and others (*viz.*, a balloon filled with hydrogen gas), conceived the idea of uniting the two systems, and accordingly ascended with a large balloon of that kind, having a small fire-balloon beneath it—the upper one to sustain the greater portion of the weight, the lower one to enable him to alter his specific gravity as occasion might require, and thus to avoid the usual expenditure of gas and ballast. Right in theory—but he had forgotten one thing. Ascending too high, confident in his theory, the upper balloon became distended too much, and poured down a stream of hydrogen gas, in self-relief, which reached the little furnace of the fire-balloon, and the whole machine became presently one mass of flame. It was consumed in the air, as it descended, and with it, of course, the unfortunate Pilatre de Rosier. The untimely fate of the Marquis d'Arlandes, his companion in the first ascent ever made in a balloon, was hastened by one of those circumstances which display the curious anomalies in human nature: he was broken for cowardice in the execution of his military duties, and is supposed to have committed suicide.

If we consider the shape, structure, appurtenances and capabilities of a ship of early ages, and one of the present time, we must be struck with admiration at the great improvement that has been made, and the advantages that have been obtained; but balloons are very nearly what they were from the first, and are as much at mercy of the wind for the direction they will take. Neither is there at present any certain prospect of an alteration in this condition. Their so-called "voyage" is little more than "drifting," and can be no more, except by certain manœuvres which obtain precarious exceptions, such as rising to take the chance of different currents, or lowering a long and weighty rope upon the earth (an ingenious invention of Mr. Green's, called the "guide-rope"), to be trailed along the ground. If, however, man is ever to be a flying animal, and to travel in the air whither he listeth, it must be by other means than wings, balloons, paddle-machines, and aerial ships—several of which are now building in America, in Paris, and in London. We do not doubt the mechanical genius of inventors—but the motive power. We will offer a few remarks on these projects before we conclude.

But let us, at all events, ascend into the sky! Taking balloons as they are, "for better, for worse," as Mr. Green would say, let us for once have a flight in the air.

The first thing you naturally expect is some extraordinary sensation in springing high up into the air, which takes away your breath for a time. But no such matter occurs. The extraordinary thing is, that you experience no sensation at all, so far as motion is concerned. So true is this, that on one occasion, when Mr. Green wished to rise a little above a dense crowd, in order to get out of the extreme heat and pressure that surrounded his balloon, those who held the ropes, misunderstanding his direction, let go entirely, and the balloon instantly rose, while the aeronaut remained calmly seated, wiping his forehead with a handkerchief, after the exertions he had undergone in preparing for the flight, and totally unconscious of what had happened. He declares that he only became aware of the circumstance when, on reaching a considerable elevation (a few seconds are often quite enough for that), he heard the shouts of the multitude becoming fainter and fainter, which caused him to start up, and look over the edge of the car.

A similar unconsciousness of the time of their departure from earth has often happened to "passengers." A very amusing illustration of this is given in a letter published by Mr. Poole, the well-known author, shortly after his ascent. "I do not despise you," says he, "for talking about a balloon going up, for it is an error which you share in common with some millions of our fellow-creatures; and I, in the days of my ignorance, thought with the rest of you. I know better now. The fact is, we do not *go up* at all; but at about five minutes past six on the evening of Friday, the 14th of September, 1838—at about that time, Vauxhall Gardens, with all the people in them, *went down!*" What follows is excellent. "I cannot have been deceived," says he: "I speak from the evidence of my senses, founded upon repetition of the fact. Upon each of the three or four experimental trials of the powers of the balloon to enable the people to glide away from us with safety to themselves—down they all went about thirty feet!—then, up they came again, and so on. There we sat quietly all the while, in our wicker buck-basket, utterly unconscious of motion; till, at length, Mr. Green snapping a little iron, and thus letting loose the rope by which *the earth was sus pended to us*—like Atropos, cutting the connexion between us with a pair of shears—down it went, with everything on it; and your poor, palty, little Dutch toy of a town (your Great Metropolis, as you insolently call it), having been placed on casters for the occasion—I am satisfied of *that*—was gently rolled away from under us."*

Feeling nothing of the ascending motion, the first impression that takes possession of you in "going up" in a balloon, is the quietude—the silence, that grows more and more entire. The restless heaving to and fro of the huge inflated sphere above your head (to say nothing of the noise of the crowd), the flapping of ropes, the rustling of silk, and the creaking of the basket-work of the car—all has ceased. There is a total cessation of all atmospheric resistance. You sit in a silence which becomes more perfect every second. After the bustle of many moving objects, you stare before you into blank air. We make no observations on other sensations—to wit, the very natural one of a certain increased pulse, at being so high up, with a chance of coming down so suddenly, if any little matter went wrong. As all this will differ with different individuals, according to their nervous systems and imaginations, we will leave each person to his own impressions.

So much for what you first feel; and now what is the first thing you do? In this case everybody is alike. We all do the same thing. We look over the side of the car. We do this very cautiously—keeping a firm seat, as though we clung to our seat by a certain attraction of cohesion—and then, holding on by the edge, we carefully protrude the peak of our travelling cap, and then the tip of the nose, over the edge of the car, upon which we rest our mouth. Everything below is seen in so new a form, so flat, compressed, and simultaneously—so much too-much-at-a-time—that the first look is hardly so satisfactory as could be desired. But soon we thrust the chin fairly over the edge, and take a good stare downwards; and this repays us much better. Objects appear under very novel circumstances from this vertical position, and ascending retreat from them (though it is *they* that appear to sink and retreat from us). They are stunted and foreshortened, and rapidly flattened to a map-like appearance; they get smaller and smaller, and clearer and clearer. "An idea," says Monck Mason, "involuntarily seizes upon the mind, that the earth with all its inhabitants had, by some unaccountable effort of nature, been suddenly precipitated from its hold, and was in the act of slipping away from beneath the aeronaut's feet into the murky recesses of some unfathomable abyss below. Everything, in fact, but himself, seems to have been suddenly endowed with motion." Away goes the earth, with all its objects—sinking lower and lower, and everything becoming less and less, but getting more and more distinct and defined as they diminish in size. But, besides the retreat towards minuteness, the phantasmagoria flattens as it lessens—men and women are of five inches high, then of four, three, two, one inch—and now a speck; the Great Western is a narrow strip of parchment, and upon it you see a number of little trunks "running away with each other," while the Great Metropolis itself is a board set out with toys; its public edifices turned into "baby-houses, and pepper-castors, and extinguishers, and chessmen, with here and there a dish-cover—things which are called domes, and spires, and steeples!" As for the Father of Rivers, he becomes a dusky-grey, winding streamlet, and his largest ships are no more than flat pale docks, all the masts and rigging being foreshortened to nothing. We soon come now to the shadowy, the indistinct—and then all is lost in air. Floating clouds fill up all the space beneath. Lovely colours outspread themselves, ever-varying in tone, and in their forms or outlines—now sweeping in broad lines—now rolling and heaving in huge, richly, yet softly-tinted billows—while sometimes, through a great opening, rift or break, you see a level expanse of grey or blue fields at an indefinite depth below. And all this time there is a noiseless cataract of snowy cloud-rocks falling around you—falling swiftly on all sides of the car, in great fleecy masses—in small snow-white and glistening fragments—and immense compound masses—all white, and soft, and swiftly rushing past you, giddily, and incessantly down, down, and all with the silence of a dream—strange, lustrous, majestic, incomprehensible!

Aeronauts, of late years, have become, in many instances, respectable and business-like, and not given to extravagant fictions about their voyages, which now, more generally, take the form of a not very lively log. But it used to be very different when the art was in its infancy, some thirty or forty years ago, and young balloonists indulged in romantic fancies. We do not believe that there was a direct intention to tell falsehoods, but that they often deceived themselves very amusingly. Thus, it has been asserted, that when you attained a great elevation, the air became so rarefied that you could not breathe, and that small objects, being thrown out of the balloon, could not fall, and stuck against the side of the car. Also, that wild birds, being taken up and suddenly let loose, could not fly properly, but returned immediately to the car for an explanation. One aeronaut declared that his head became so contracted by his great elevation, that his hat tumbled over his eyes, and persisted in resting on the bridge of his nose. This assertion was indignantly rebutted by another aeronaut of the same period, who declared that, on the contrary, the head expanded in proportion to the elevation; in proof of which he stated, that on his last ascent he went so high that his hat burst. Another of these romantic personages described a wonderful feat of skill and daring which he had performed up in the air. At an elevation of two miles, his balloon burst several degrees above the "equator" (meaning, above the middle region of the balloon), whereupon he crept up the lines that attached the car, until he reached the netting that enclosed the balloon; and up this netting he clambered, until he reached the aperture, into which he thrust—not his head—but his pocket handkerchief! Mr. Monck Mason, to whose "Aeronatica" we are indebted for the anecdote, gives eight different reasons to show the impossibility of any such feat having ever been performed in the air. One of these is highly graphic. The "performer" would change the line of gravitation by such an attempt: he would never be able to mount the sides, and would only be like the squirrel in its revolving cage. He would, however, pull the netting round—the spot where he clung to ever remaining the lowest—until having reversed the machine, the balloon would probably make its *escape*, in an elongated shape, through the large interstices of that portion of the net-work which is just above the car, when the balloon is in its proper position! But the richest of all these romances is the following brief statement: A scientific gentleman, well advanced in years (who had "probably witnessed the experiment of the restoration of a withered pear beneath the exhausted receiver of a pneumatic machine") was impressed with a conviction, on ascending to a considerable height in a balloon, that every line and wrinkle of his face had totally disappeared, owing, as he said, to the preternatural distension of his skin; and that, to the astonishment of his companion, he rapidly began to assume the delicate aspect and blooming appearance of his early youth!

These things are all self-delusions. A bit of paper or a handkerchief might cling to the outside of the car, but a penny-piece would, undoubtedly, fall direct to the earth. Wild birds do not return to the car, but descend in circles, till, passing through the clouds, they see whereabouts to go, and then they fly downwards as usual. We have no difficulty in breathing; on the contrary, being "called upon," we sing a song. Our head does not contract, so as to cause our hat to extinguish our eyes and nose; neither does it expand to the size of a prize pumpkin. We see that it is impossible to climb up the netting of the balloon over-head, and so do not think of attempting it; neither do we find all the lines in our face getting filled up, and the loveliness of our "blushing morning" taking the place of a marked maturity. These fancies are not less ingenious and comical than that of the sailor who hit upon the means of using a balloon to make a rapid voyage to any part of the earth. "The earth spins round," said he, "at a great rate, don't it? Well, I'd go up two or three miles high in my balloon, and then 'lay to,' and when any place on the globe I wished to touch at, passed underneath me, down I'd drop upon it."

But we are still floating high in air. How do we feel all this time? "Calm, sir—calm and resigned." Yes, and more than this. After a little while, when you find nothing happens, and see nothing likely to happen (and you will more especially feel this under the careful conduct of the veteran Green), a delightful serenity takes the place of all other sensations—to which the extraordinay silence, as well as the pale beauty and floating hues that surround you, is chiefly attributable. The silence is perfect—a wonder and a rapture. We hear the ticking of our watches. Tick! tick!—or is it the beat of our own hearts? We are sure of the watch; and now we think we can hear both.

Two other sensations must by no means be forgotten. You become very cold, and desperately hungry. But you have got a warm outer coat, and travelling boots, and other valuable things, and you have not left behind you the pigeon-pie, the ham, cold beef, bottled ale and brandy.

Of the increased coldness which you feel on passing from a bright cloud into a dark one, the balloon is quite as sensitive as you can be; and, probably, much more so, for it produces an immediate change of altitude. The expansion and contraction which too romantic gentlemen fancied took place in the size of their heads, does really take place in the balloon, according as it passes from a cloud of one temperature into that of another.

We are now nearly three miles high. Nothing is to be seen but pale air above—around—on all sides, with floating clouds beneath. How should you like to descend in a parachute?—to be dangled by a long line from the bottom of the car, and suddenly to be "let go," and to dip at once clean down through those grey-blue and softly rose-tinted clouds, skimming so gently beneath us? Not at all: oh, by no manner of means—thank you! Ah, you are thinking of the fate of poor Cocking, the enthusiast in parachutes, concerning whom, and his fatal "improvement," the public is satisfied that it knows everything, from the one final fact—that he was killed. But there is something more than that in it, as we fancy.

* Two words against parachutes. In the first place there is no use to which, at present, they can be applied; and, in the second, they are so unsafe as to be likely, in all cases, to cost a life for each descent. In the concise words of Mr. Green, we should say "the best parachute is a balloon: the others are bad things to have to deal with."

Mr. Cocking, as we have said, was an enthusiast in parachutes. He felt sure he had discovered a new and the true, principle. All parachutes, before his day, had been constructed to descend in a concave form, like that of an open umbrella; the consequence of which was, that the parachute descended with a violent swinging from side to side, which sometimes threw the man in the basket in almost a horizontal position. Mr. Cocking conceived that the converse form; viz., an inverted cone (of large dimensions), would remedy this evil; and becoming convinced, we suppose, by some private experiments with models, he agreed to descend on a certain day. The time was barely adequate to his construction of the parachute, and did not admit of such actual experiments with a sheep, or pig, or other animal, as prudence would naturally have suggested. Besides the want of time, however, Cocking equally wanted prudence: he felt sure of his new principle; this new form of parachute was the hobby of his life, and up he went on the appointed day (for what aeronaut shall dare to "disappoint the Public?") dangling by a rope, fifty feet long, from the bottom of the car of Mr. Green's great Nassau Balloon.

The large upper rim of the parachute, in imitation, we suppose, of the hollow bones of a bird, was made of hollow tin—a most inapplicable and brittle material; and besides this, it had two fractures But Mr. Cocking was not to be deterred; convinced of the truth of his discovery, up he would go. Mr. Green was not equally at ease, and positively refused to touch the latch of the "liberating iron," which was to detach the parachute from the balloon. Mr. Cocking arranged to do this himself, for which means he procured a piece of new cord of upwards of fifty feet in length, which was fastened to the latch above in the car, and led down to his hand in the basket of the parachute. Up they went to a great height, and disappeared among the clouds.

Mr. Green had taken up one friend with him in the car; and, knowing well what would happen the instant so great a weight as the parachute and man were detatched, he had provided a small balloon inside the car, filled with atmospheric air, with two mouth-pieces. They were now upwards of a mile high.

"How do you feel, Mr. Cocking?" called out Green. "Never better, or more delighted in my life," answered Cocking. Though hanging at fifty feet distance, in the utter silence of that region, every accent was easily heard. "But, perhaps you will alter your mind?" suggested Green. "By no means," cried Cocking; "but how high are we?" "Upwards of a mile." "I must go higher, Mr. Green—I must be taken up two miles before I liberate the parachute." Now, Mr. Green, having some regard for himself and his friend, as well as for poor Cocking, was determined not to do any such thing. After some further colloquy, therefore, during which Mr. Green threw out a little more ballast, and gained a little more elevation, he finally announced that he could go no higher, as he now needed all the ballast he had for their own safety in the balloon. "Very well," said Cocking, "if you really will not take me any higher, I shall say good-bye."

At this juncture Green called out, "Now, Mr. Cocking, if your mind at all misgives you about your parachute, I have provided a tackle up here, which I can lower down to you, and then wind you up into the car by my little grapnel-iron windlass, and nobody need be the wiser." "Certainly not," cried Cocking; "thank you all the same. I shall now make ready to pull the latch-cord." Finding he was determined, Green and his friend both crouched down in the car, and took hold of the mouth pieces of their little air balloon. "All ready?" called out Cocking. "All ready!" answered the veteran aeronaut above. "Good night, Mr. Green!" "Good night, Mr. Cocking!" "A pleasant voyage to you, Mr. Green—good night!"

There was a perfect silence—a few seconds of intense suspense—and then the aeronauts in the car felt a jerk upon the latch. It had not been forcible enough to open the liberating iron. Cocking had failed to detach the parachute. Another pause of horrid silence ensued.

Then came a strong jerk upon the latch, and, in an instant, the great balloon shot upwards with a side-long swirl, like a wounded serpent. They saw their flag clinging flat down against the flag-staff, while a torrent of gas rushed down upon them through the aperture in the balloon above their heads, and continued to pour down into the car for a length of time that would have suffocated them but for the judgmatic provision of the little balloon of atmospheric air, to the mouth-pieces of which their own mouths were fixed, as they crouched down at the bottom of the car. Of Mr. Cocking's fate, or the result of his experiment, they had not the remotest knowledge. They only knew the parachute was gone!

The termination of Mr. Cocking's experiment is well known. For a few seconds he descended quickly, but steadily, and without swinging—as he had designed, and insisted would be the result—when, suddenly, those who were watching with glasses below, saw the parachute lean on one side—then give a lurch to the other—then the large upper circle collapsed (the disastrous hollow tin-tubing having evidently broken up), and the machine entered the upper part of a cloud; in a few more seconds it was seen to emerge from the lower part of the cloud—the whole thing turned over—and then, like a closed up broken umbrella, it shot straight down to the earth. The unfortunate, and, as most people regard him, the foolish enthusiast, was found still in the basket in which he reached the earth. He was quite insensible, but uttered a moan; and in ten minutes he was dead.

Half a word in favour of parachutes. True, they are of no use "at present;" but who knows of what use such things may one day be? As to Mr. Cocking's invention, the disaster seems to be attributable to errors of detail, rather than of principle. Mr. Green is of opinion, from an examination of the *broken* latch-cord, combined with other circumstances, which would require diagrams to describe satisfactorily, that after Mr. Cocking had failed to liberate himself the first time, he twisted the cord round his hand to give a good jerk, forgetting that in doing so, he united himself to the balloon above, as it would be impossible to disengage his hand in time.

By this means he was violently jerked into his parachute, which broke the latch-cord; but the tin tube was not able to bear such a shock, and this caused so serious a fracture, in addition to its previous unsound condition, that it soon afterwards collapsed. This leads one to conjecture that had the outer rim been made of strong wicker-work, or whalebone, so as to be somewhat pliable, and that Mr. Green had liberated the parachute, instead of Mr. Cocking, it would have descended to the earth with perfect safety—skimming the air, instead of the violent oscillations of the old form of this machine. We conclude, however, with Mr. Green's laconic—that the safest parachute is a balloon.

But here we are—still above the clouds! We may assume that you would not like to be "let off" in a parachute, even on the improved principle; we will therefore prepare for descending with the balloon. This is a work requiring great skill and care to effect safely, so as to alight on a suitable piece of ground, and without any detriment to the voyagers, the balloon, gardens, crops, &c.

The valve-line is pulled! out rushes the gas from the top of the ballon—you see the flag fly upwards—down through the clouds you sink faster and faster—lower and lower. Now you begin to see dark masses below—there's the Old Earth again! the dark masses now discover themselves to be little forests, little towns, tree-tops, house-tops—out goes a shower of sand from the ballast-bags, and our descent becomes slower—another shower, and up we mount again, in search of a better spot to alight upon. Our guardian aeronaut gives each of us a bag of ballast, and directs us to throw out its contents when he calls each of us by name, and in such quantities only as he specifies. Moreover, no one is suddenly to leap out of the balloon, when it touches the earth; partly because it may cost him his own life or limbs, and partly because it would cause the balloon to shoot up again with those who remained, and so make them lose the advantage of the good descent already gained, if nothing worse happened. Meantime, the grapnel-iron has been lowered, and dangling down at the end of a strong rope of a hundred and fifty feet long. It is now trailing over the ground. Three bricklayers' labourers are in chase of it. It catches upon a bank—it tears its way through. Now the three baicklayers are joined by a couple of fellows in smock-frocks, a policeman, five boys, followed by three little girls, and last of all, a woman with a child in her arms, all running, shouting, screaming, and yelling, as the grapnel-iron and rope go trailing and bobbing over the ground before them. At last the iron catches upon a hedge—grapples with its roots; the balloon is arrested, but struggles hard; three or four men seize the rope, and down we are hauled, and held fast till the aerial Monster, with many a gigantic heave and pant, surrenders at discretion, and begins to resign its inflated robust proportions. It subsides in irregular waves—sinks, puffs, flattens—dies to a mere shrivelled skin; and being folded up, like Peter Schlemil's shadow, is put into a bag, and stowed away at the bottom of the little car it so recently overshadowed with its buoyant enormity.

We are glad it is all over; delighted, and edified as we have been, we are very glad to take our supper at the solid, firmly-fixed oak table of a country inn, with a brick wall and a barn door for our only prospect, as the evening closes in. Of etherial currents, and the scenery of infinite space, we have had enough for the present.

Touching the accidents which occur to balloons, we feel persuaded that in the great majority of cases they are caused by inexperience, ignorance, rashness, folly, or—more commonly than all—the necessities attending a "show." Once "announced" for a certain day, or *night* (an abominable practice, which ought to be prevented)—and, whatever the state of the wind and weather, and whatever science and the good sense of an experienced aeronaut may know and suggest of imprudence—up the poor man must go, simply because the public have paid their money to see him do it. He must go, or he will be ruined.

But nothing can more strikingly display the comparative safety which is attained by great knowledge foresight, and care, than the fact of the veteran, Charles Green, being now in the four hundred and eighty-ninth year of his balloonical age; having made that number of ascents, and taken up one thousand four hundred and thirteen persons, with no fatal accident to himself, or to them, and seldom with any damage to his balloons.

Nevertheless, from causes over which he had no control, our veteran has had two or three "close shaves." On one occasion he was blown out to sea with the Great Nassau balloon. Observing some vessels, from which he knew he should obtain assistance, he commenced a rapid descent in the direction of the Nore. The valve was opened, and the car first struck the water some two miles north of Sheerness. But the wind was blowing fresh, and, by reason of the buoyancy of the balloon, added to the enormous surface it presented to the wind, they were drawn through the water at a speed which set defiance to all the vessels and boats that were now out on the chase. It should be mentioned, that the speed was so vehement, and the car so un-boat-like, that the aeronauts (Mr. Green and Mr. Rush, of Elsenham Hall, Essex), were dragged through, that is *under*, every wave they encountered, and had a good prospect of being drowned upon the surface. Seeing that the balloon could not be overtaken, Mr. Green managed to let go his large grapnel-iron, which shortly afterwards took effect at the bottom, where, by a fortunate circumstance (for them) there was a sudden wreck, in which the iron took hold. The progress of the balloon being thus arrested, a boat soon came up, and relieved the aeronauts; but no boat could venture to approach the monster balloon, which still continued to struggle, and toss, and bound from side to side. It would have capsized any boat that came near it, in an instant. It was impossible to do anything with it till Mr. Green obtained assistance from a revenue cutter, from which he solicited the services of an armed boat, and the crew fired muskets with ball-cartridge into the rolling Monster, until she gradually sank down flat upon the waves, but not until she had been riddled with sixty-two bullet holes.

So much for perils by sea; but the greatest of all the veteran's dangers was caused by a diabolical trick, the perpetrator of which was never discovered. It was as follows:

In the year 1832, on ascending from Cheltenham, one of those malicious wretches who may be regarded as half fool and half devil, contrived partially to sever the ropes of the car, in such a manner as not to be perceived before the balloon had quitted the ground; when receiving, for the first time, the whole weight of the contents, they suddenly gave way. Everything fell out of the car, the aeronauts just having time to secure a painful and precarious attachment to the hoop. Lightened of its load, the balloon, with frightful velocity, immediately commenced its upward course, and ere Mr. Green could obtain possession of the valve-string, which the first violence of the accident had placed beyond his reach, attained an altitude of upwards of ten thousand feet. Their situation was terrific. Clinging to the hoop with desperate retention, not daring to trust any portion of their weight upon the margin of the car, that still remained suspended by a single cord beneath their feet, lest that also might give way, and they should be deprived of their only remaining counterpoise, all they could do was to resign themselves to chance, and endeavour to retain their hold until the exhaustion of the gas should have determined the career of the balloon. To complete the horrors of their situation, the network, drawn away by the awkward and unequal disposition of the weight, began to break about the upper part of the machine—mesh after mesh giving way, with a succession of reports like those of a pistol; while, through the opening thus created, the balloon began rapidly to ooze out, and swelling as it escaped beyond the fissure, presented the singular appearance of a huge hour-glass floating in the upper regions of the sky. After having continued for a considerable length of time in this condition, every moment expecting to be precipitated to the earth by the final detachment of the balloon, at length they began slowly to descend. When they had arrived within about a hundred feet from the ground, the event they had anticipated at length occurred; the balloon, rushing through the opening in the network with a tremendous explosion, suddenly made its escape, and they fell to the earth in a state of insensibility, from which with great difficulty, they were eventually recovered.

Apart from the question of dangers, which science, as we have seen, can reduce to a minimum—and apart also from the question of practical utility, of which we do not see much at present, yet of which we know not what may be derived in future—what are the probabilities of improvement in the art of ballooning, aerostation, or the means of travelling through the air in a given direction?

The conditions seem to be these. In order to fly, in the air, and steer in a given direction during a given period, it is requisite to take up a buoyancy and a power which shall be greater (and continuously so during the voyage) then needful to sustain its own mechanical weight, together with that of the aeronauts and their various appurtenances; and as much also in excess of these requisitions as shall overcome the adverse action of the wind upon the resisting surface presented by the machine. At present no such power is known which can be used in combination with a balloon, or other gas machine. If we could condense electricity, then the thing might be done; other subtle powers may also be discovered with the progress of science, but we must wait for them before we can fairly make definite voyages in the air, and reduce human flying to a practical utility, or a safe and rational pleasure.

The "latest news" of new inventions in balloons we shall comprise within the period of the last ten or eleven years. A writer in the "Polytechnic Journal" (1840) thought he had discovered a certain means of propelling balloons at the will of the aeronaut. He proposed to do this without taking up an additional power, or engine, but simply by a new application of the *weight*, as well as the strength, of the aeronaut and his passengers. A fan-wheel is to be constructed to act upon the air, for the direction of the course of the balloon; and this wheel is to be worked after the manner of the tread-mill. When a certain impulse, in a direction against the wind, is to be given, the aeronaut and his friends will get into the wheel, and work it round by the usual process. If more power is needed, they must use their hands, and also carry weights on their shoulders!

Passing over M. Poitevin's equestrian performances in the air as simply censurable, we come at once to the three or four announcements which have at last interested the lovers of "this delightful art," as Monck Mason terms it. Of the Spanish nobleman lately arrived in Paris, who is to fly in a new machine, accompanied by his daughter, we are unable to say more than he has himself put forth, which amounts to nothing but the announcement. Respecting the new American Flying Ship, with its copper boilers, and engines of twelve horse-power, which are to cause a revolution of floats, not yet being finished, (owing to the unhandsome hanging-back of the American public in the amount of dollars still necessary to be subscribed,) we make no remarks—but offer a word or two on the invention of M. Petin, a respectable tradesman of Paris, who has devoted many years to "this delightful art." Instead of sailing horizontally, he proposes alternately to ascend and descend in an oblique direction; and at each ascent and descent he contends that the balloon can be driven forward. The apparatus he employs is gigantic. First, there is an immense frame-work *seventy yards* long by ten wide, and to it three large balloons are to be attached; connected with the frame-work, are large frames of sail-cloth, which open and close, somewhat like those of a conservatory. When all these frames are closed, the resistance of the air is alike on all, and the machine swims horizontally; but when some at one end are opened, the resistance of the air becomes unequal, and the machine rises or descends. Advantage is taken of this movement to propel the balloon by means of a screw, worked by a mechanical apparatus.

But the French are not to carry off all the honours of these aerial fancies. We have a Steam Aerostation Society, with an Office in the Strand, London, where it is announced that "Lectures explanatory of the object will be given, on the payment of five shillings, which constitutes a Perpetual Associate, with privilege to attend the progress of the Machine now building on the premises." The Duke of Brunswick is also hard at work on a new Aerial Machine.

In the Great Exposition, we have had the pleasure of examining the new Aerial Machine invented by Mr. E. Mason, of Brompton, together with the Locomotive Balloon, and Locomotive Parachute of Mr. H. Bell, of Millbank. The former of these presents the appearance of a huge vegetable marrow, with a broad Dutch rudder at the stern, and an apparatus of revolving sails at each bow; Mr. Bell's invention is a long silver fish, for a boat, with revolving fans, in place of fins, for progression, and sustained by a balloon of blue silk. (It is said that Marshal Ney expended a considerable sum in experiments with a balloon of the fish shape; but it could not be made to swim the air as he wished). Mr. J. Brown, of Leadenhall street, has a most solid-looking model, like a mahogany Dutch boat, sustained by an immense inflated bonnet, or closed hood, and guided by a gib in front, with a tri-sail for a rudder. Mr. H. Plummer has a machine, to fly with wings only, the power to be derived from the action of springs, &c. Mr. G. Graham exhibits a steering apparatus for a balloon. It resembles some enormous fire-work case, or skeleton of some great fabulous bird. These long wings are, in fact, to be used as immense oars; a project somewhat resembling that of Messrs. Aine and Robert, in 1784. Mr. W. Sadd, of Wandsworth, exhibits a singularly light, and curious aerial machine, evidently the result of immense consideration in its principles and details, and if ever we ventured up in an experimental trip of this kind, we should be disposed to give this ——— but it is good to be very careful, and better still, perhaps, not to venture for a long time to come. All these machines have a wonderfully eccentric look, of course; and there are no explanations to any of them, excepting the following:

A pamphlet has just been published by Mr. Luntley, with a frontispiece of a very new kind of balloon, in form not unlike two bagpipes of the early Italian shepherds, sewed together. It is to be of prodigious magnitude. The principle of propulsion will be that of the screw; but the balloon is to be its own screw, and work itself, by rotation, through the air. A wheel and strap are to give the rotary motion; and the inventor is convinced that one end of the bag-pipe (or queer curled point) will propel, and the other attract the air in its embrace, which will enable the aeronaut to advance in any direction he pleases. His power is to be derived from steam; and the weight of cargo he expects to be able to carry (besides the weight of his machine and apparatus) is the moderate amount of twenty-seven-tons—about the weight of six full grown elephants, with their "castles."

Well, we take our breath after all this; but, supported by the opinion of many scientific men of various periods, and by the scientific triumphs accomplished in our own time, we venture to indulge a hope of flying, some day, whither we list (with a reasonable recollection that even ships at sea cannot leave port in an adverse storm, and that very few birds can fly against a strong wind); but we do not think the day has yet arrived; and we confess to a somewhat uncomfortable sensation at the idea of "going up" in company with a cargo of twenty-seven tons.—*Dickens' Household Words.*

* "Crotchets in the Air, or an Un-scientific Account of a Balloon Trip," by John Poole, Es. Colburn, 1838.

ON QUAKERISM.

"There is no subject perpetually before our eyes more imperfectly understood than Quakerism. Nineteen-twentieths of our countrymen believe a Quaker to be infinitely inferior to themselves; to the brutal, he is an object of abuse; to the rude, of ridicule; to the supercilious, of contempt; to the kind-hearted, of pity; but all agree in looking down upon him as from some very decided elevation. It is difficult to dissipate feelings which flatter our self-esteem, and whatever places another permanently below us, certainly administers to that quality: we are pleased to have an opportunity of despising, and often absolutely plume ourselves on despising, courteously and religiously, kindly and conscientiously. We [the editors] are willing to believe that this relative position between the Quaker and the man of the world arises entirely from the fact already adduced—that Quakerism is imperfectly understood: we see the husk, we taste it, and find it unpalatable; but so also is the husk of the cocoa nut, and of fifty other fruits. Now we have no more right to judge the Quaker, than the cocoa nut by its exterior alone; it is not only unfair to the object, but unjust to ourselves. Let us, however, pause for a moment over the husk itself; the quaintness, oddity of the costume and mode of address, &c. It should be distinctly understood that these peculiarities are not of themselves considered in the light of good deeds, but often serve as a protection against evil deeds. The true Quaker has a decided objection to amalgamate with that world whose fashions and excesses he has conscientiously renounced, and these peculiaritics act as a universal apology for his not mingling in scenes in which others can perceive no harm. Races, hunting, theatres, balls, concerts, cards, drinking, gaming, occupations held to be almost necessary to people of the world, and, to use the most circumspect phraseology, *tolerated* by their religious instructors, are forbidden to the Quaker; and from his youth upwards he is taught to avoid them. Abstinence from these indulgences are inculcated with the first lessons of religion, and intellect has no sooner dawned than his moral education begins. This abstinence from occupations too common in the world, has become so notorious that the Quaker garb is a sufficient apology for non-indulgences. It would be out of place at all public amusements, in all scenes of riot and intemperance, so that, whatever the inclination, the Quaker, in Quaker garb, dares not mingle in such company. The husk, as we have termed it, worn under parental authority, thus becomes a safeguard and protection to the young, a protection even against inclination, for we are not to suppose the youth *of any sect* devoid of the taste for amusements, which is the characteristic of this period of our existence. In after years the *man* has often to look back with gratitude on the protecting power of that garb, and those peculiarities which he felt irksome as a *youth*; and seeing the service they rendered to himself, he inculcates their observance on his successors: indeed, enforces it, so long as parental authority endures. Thus, however much we may be inclined to dislike or censure those peculiarities, we shall find it difficult to deny their utility; and we shall also find that a portion of our feeling of contempt arose from an insufficiency of our own information. We are ever ready to smile at what we do not understand; and, in our journey through life, we often feel the smile of scorn dissipated by an enlarged power of comprehension, and even succeeded by respect, and perhaps admiration. While on the subject of dress, we may further remark that the Quaker garb is professedly a mere retention of the usual costume of that period when Quakers were first associated as a body, and a refusal to comply with the ever-changing vagaries of fashion. So much for the husk; we wish to place it in its true light, and to remove those erroneous impressions which result from mistaking it for the kernal.

"Quakerism may be said to date its existence from the preaching of George Fox: prior to this, some Quaker doctrines had been vaguely promulgated; but, under the majestic and energet